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Women Safety & Gender Justice in Traditional Texts of India vis-à-vis SDG 5 (Gender Equality)

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ABSTRACT

The question of women's safety and gender justice in India cannot be separated from its long civilizational history. For centuries, social attitudes and norms have been influenced by traditional texts such as the Vedas, Upanishads, Smritis, and epics. These texts do not present a single clear picture of women's status; instead, they show a mix of respect and restriction that has changed over time.

In the early Vedic period, women seem to have held a comparatively respected place in society. They were not limited only to household duties but were also involved in learning, religious practices, and intellectual discussions. Some women had access to education and were able to take part in important social and spiritual activities. In certain cases, they even exercised a degree of personal choice in matters like marriage. This suggests that early traditions were not completely restrictive and, in some ways, reflected ideas of dignity and participation that are similar to the principles behind Sustainable Development Goal 5 (SDG 5).

However, this position did not remain the same. As time passed, especially during the later Vedic and Smriti periods, society became more structured and patriarchal. Women's roles were gradually confined to the domestic sphere, and their independence was reduced. Social and legal rules began to stress obedience, modesty, and dependence on male authority. Women's identity became closely linked to their roles within the family, and their participation in public and intellectual life declined significantly. The epics also show this mixed reality—women are often portrayed as strong and virtuous, yet at the same time expected to follow strict duties and make sacrifices.

When we compare these traditional ideas with the goals of SDG 5, certain limitations become clear. SDG 5 focuses on equality, empowerment, and freedom from violence, but traditional systems often viewed women's safety in terms of protection under male guardianship rather than as an independent right. This difference highlights the gap between older social structures and modern expectations.

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Even so, it would not be correct to treat traditional texts as completely opposed to gender justice. They also contain positive elements that recognize women's dignity and participation. The real need today is not to reject tradition, but to understand and reinterpret it in a way that matches constitutional values like equality, dignity, and individual freedom. By doing so, it becomes possible to respect cultural heritage while also moving towards a more fair and inclusive society.

Keywords: *Gender Justice, Women Safety, Vedic Literature, Smritis, SDG 5, Indian Legal Tradition, Feminist Jurisprudence*

I. INTRODUCTION

Gender justice and women's safety have, in recent decades, emerged as central concerns in the global human rights discourse[3]. However, in the Indian context, these issues cannot be understood in isolation from the country's long-standing cultural and intellectual traditions. Indian society has historically been shaped by a wide range of religious and legal texts, including the Vedas, Upanishads, Smritis, and epics[4] such as the Ramayana and the Mahabharata. These texts have not only guided moral values but have also played a significant role in structuring social relationships, including the position of women.

What makes the Indian experience particularly complex is that these texts do not offer a single, consistent view of women's status. Instead, they reflect a gradual evolution—at times showing respect and participation, and at other times reinforcing hierarchy and restriction. This layered nature of tradition makes it necessary to examine it critically rather than accepting it at face value.

At the international level, Sustainable Development Goal 5 (SDG 5) represents a clear and comprehensive commitment to achieving gender equality and empowering women and girls. It calls for the elimination of discrimination and violence, the end of harmful practices, and the creation of equal opportunities in education, employment, and decision-making. More importantly, SDG 5 moves beyond the idea of formal equality and focuses on substantive empowerment[5], recognizing women as independent individuals with full rights and agency.

In this context, the present study seeks to examine how traditional Indian texts have represented women and how these representations have changed over time. It also attempts to assess whether these traditional frameworks are compatible with the modern principles embodied in

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[3] Universal Declaration of Human Rights, 1948
[4] A.S. Altekar, The Position of Women in Hindu Civilization (2005).
[5] United Nations SDG 5. https://sdgs.un.org/goals/goal5

SDG 5. By doing so, the paper highlights both the limitations within tradition and the possibilities for reinterpretation in light of constitutional values.

II. CONCEPTUAL FRAMEWORK: GENDER JUSTICE AND SDG 5

Gender justice is a concept that goes beyond the idea of equal treatment in law. While formal equality ensures that laws do not discriminate between men and women, gender justice focuses on achieving fairness in actual outcomes. It recognizes that historical disadvantages, social norms, and structural barriers have limited women's opportunities, and therefore, simply treating everyone the same is not sufficient.

Sustainable Development Goal 5 provides a broad and inclusive framework to address these concerns. It emphasizes three key dimensions: the elimination of violence against women, equal access to education and resources, and legal equality and empowerment. These dimensions are interconnected and aim to create a society where women can live with dignity, security, and independence.

An important shift introduced by SDG 5 is the movement from a **protection-based approach** to a **rights-based approach**. Traditional systems often viewed women as needing protection, which in practice resulted in restrictions on their freedom. In contrast, a rights-based approach recognizes women as individuals capable of making their own choices and exercising control over their lives.

In India, the realization of gender justice requires not only legal reforms but also a transformation in social attitudes. Deeply rooted cultural practices and beliefs must be re-examined in light of modern values. This makes it essential to engage with traditional texts critically, identifying both their progressive and regressive elements.

III. WOMEN IN EARLY VEDIC LITERATURE: A RELATIVELY EGALITARIAN PHASE

The early Vedic period is often seen as a phase where women enjoyed a relatively higher status compared to later times. Evidence from Vedic literature suggests that women were not confined exclusively to domestic roles but were active participants in intellectual and spiritual life. They had access to education and, in certain cases, underwent Upanayana, enabling them to study the Vedas.

The presence of women sages such as Gargi and Maitreyi[6] is particularly significant. These figures are depicted as engaging in philosophical debates and contributing to intellectual discourse, indicating that women were recognized for their knowledge and reasoning abilities.

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[6] Rig Veda & Brihadaranyaka Upanishad (Gargi Dialogue).

Women also participated in religious rituals, suggesting that spiritual authority was not entirely restricted to men.

Moreover, there are indications that women had a degree of agency in personal matters, including marriage. Practices such as swayamvara allowed women some level of choice, reflecting a social structure that was not entirely rigid.

At the same time, it is important to acknowledge that this period was not fully egalitarian. Certain limitations and social hierarchies existed. However, compared to the more restrictive norms that developed later, the early Vedic phase appears relatively flexible and inclusive[7].

Critical Insight: This period shows partial alignment with SDG 5, particularly in terms of participation, education, and recognition of women's dignity.

IV. SHIFT IN LATER VEDIC AND SMRITI PERIOD: INSTITUTIONALIZATION OF PATRIARCHY

As society moved beyond the early Vedic phase, a noticeable shift began to take place in the social and legal position of women. The later Vedic and Smriti period marked the gradual consolidation of a more structured and hierarchical social order, where gender roles became increasingly rigid. The flexibility that was once visible in earlier traditions started giving way to more restrictive norms that confined women largely to the domestic sphere.

During this period, access to education and participation in religious rituals became limited for women. Their presence in intellectual discussions and public life declined significantly. Instead of being seen as participants in social and philosophical life, women were increasingly defined in relation to their familial roles—as daughters, wives, and mothers. This shift was not sudden but evolved over time through a combination of religious prescriptions and social practices.

The Dharmashastra and Smriti texts played an important role in[8] formalizing these norms. They laid down detailed rules regarding conduct, duties, and relationships, often placing women under the authority of male guardians. A woman was expected to remain under the protection and control of her father, husband, or son throughout her life. While this system was presented as a form of protection, it effectively limited women's independence and decision-making power[9].

Social practices that developed during this period further reinforced these restrictions. Customs

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[7] R.C. Majumdar, Ancient India (1977).

[8] Manusmriti Chapter 5 & 9. https://archive.org/details/in.ernet.dli.2015.46103/page/n173

[9] Strī-dharma-paddhati. https://archive.org/details/stridharma-paddhati-of-tryambakayajvan/page/n45

such as child marriage reduced the scope for education and personal choice, while the increasing emphasis on chastity and obedience created a moral framework that left little room for individuality. In later interpretations, practices like sati came to symbolize the extreme expectations placed on women's loyalty and sacrifice.

What is important to note is that these norms were not merely theoretical. Over time, they became deeply embedded in social life, shaping attitudes and behaviors across generations. As a result, women's roles became increasingly confined, and their participation in public and intellectual spheres diminished.

Critical Insight: This period stands in clear contrast to the principles of SDG 5. The emphasis on hierarchy, control, and dependence directly conflicts with the ideals of equality, freedom, and bodily autonomy. It highlights how traditional structures, in their later form, moved away from participatory values toward institutionalized patriarchy.

V. EPICS AND AMBIVALENCE: BETWEEN EMPOWERMENT AND CONTROL

The Indian epics, particularly the Ramayana and the Mahabharata, present a nuanced and often contradictory picture of women's status. Unlike the more rigid prescriptions found in some Smriti texts, the epics offer narratives that reflect both empowerment and limitation, making them especially significant for understanding the complexity of gender roles in traditional Indian thought.

On one hand, women in these texts are portrayed as strong, intelligent, and morally influential figures. They are shown taking decisions, offering advice, and shaping the course of events. Practices such as swayamvara suggest that women, at least in certain contexts, had the ability to exercise choice in matters such as marriage. Female characters are often depicted with dignity and respect, highlighting their importance within both family and society.

On the other hand, the same texts also reinforce ideals that restrict women's autonomy. Virtues such as obedience, chastity, and devotion to the husband are repeatedly emphasized as defining qualities of womanhood. Women are often expected to uphold family honor, and their actions are closely monitored within a framework of moral expectations.

For example, in the Mahabharata, there are instances where daughters are treated with value and, in certain contexts, considered comparable to sons. However, these progressive elements coexist with strong assertions that a woman's primary duty lies in her loyalty and service to her husband. This creates a dual narrative where respect and restriction exist side by side.

This ambivalence is important because it shows that traditional texts are not monolithic. They

reflect a society that was negotiating between different ideas about gender roles, rather than strictly adhering to a single viewpoint.

Critical Insight: The epics reveal that traditional Indian texts are internally complex, containing both progressive and regressive elements. This duality allows room for reinterpretation but also highlights the challenges in aligning these traditions with modern ideals of gender equality.

VI. LEGAL POSITION OF WOMEN IN TRADITIONAL TEXTS

Ancient Indian legal literature, particularly the Dharmashastras, provides a detailed framework for understanding the legal status of women. However, this framework is far from uniform and reflects a mixture of recognition and restriction. Women were granted certain rights, yet these rights were often limited and conditional.

One of the notable aspects of this system is the concept of **stridhan**, which recognized a woman's right to own certain forms of property. This included gifts received at the time of marriage or from family members. While this indicates that women were not entirely excluded from economic rights, the scope of such ownership was restricted, and control was often influenced by male authority.

In addition to property rights, some provisions were made for the welfare of women, particularly widows. They were entitled to maintenance and, in certain situations, limited control over their husband's property. These measures suggest that the legal system attempted to provide a degree of security, especially in a context where independent economic opportunities for women were limited.

However, these positive elements were overshadowed by significant limitations. Women were rarely treated as equal heirs, and inheritance was largely governed by male lineage. The system of guardianship further reinforced this inequality, as women were expected to remain under male control throughout their lives.

This created a situation where women were respected in theory but restricted in practice. Their legal identity was closely tied to their relationships with male family members, and they were seldom recognized as fully independent individuals.

The often-cited idea that women were "revered as goddesses yet constrained by strict norms" captures this contradiction effectively. Symbolic respect did not translate into actual freedom or equality.

VII. WOMEN'S SAFETY IN TRADITIONAL CONTEXT

In traditional Indian society, women's safety was generally understood in terms of protection rather than empowerment. Instead of recognizing women as individuals capable of ensuring their own safety, responsibility was placed on male guardians—first the father, then the husband, and later the son.

While this arrangement was often justified as a means of providing security, it also resulted in significant restrictions on women's freedom. Their movement, behavior, and interactions were closely regulated in the name of maintaining honor and social order. What appeared to be protection often functioned as control.

The concept of "ideal womanhood" played a key role in this framework. Women were expected to embody qualities such as modesty, obedience, and chastity. Any deviation from these expectations was met with social disapproval, reinforcing conformity to prescribed roles.

Practices such as child marriage and restrictions on mobility further limited women's independence. These customs reduced opportunities for education and personal development, making women more dependent on male family members. In extreme cases, practices like sati reflected the expectation of total devotion and sacrifice.

Overall, the traditional approach to safety prioritized control over autonomy. It did not aim to empower women but rather to regulate their lives within a defined social structure.

VIII. COMPARATIVE ANALYSIS WITH SDG 5

Dimension	Traditional Texts	SDG 5 Goals
Education	Initially allowed, later restricted	Universal access
Equality	Hierarchical gender roles	Full equality
Safety	Protection-based	Rights-based safety
Autonomy	Limited	Full autonomy
Property Rights	Partial recognition	Equal ownership

Conclusion of Comparison:

Traditional texts do not fully align with SDG 5 but contain **interpretive potential** for reform.

IX. CONSTITUTIONAL PERSPECTIVE[10] AND MODERN RELEVANCE

The Constitution of India provides a transformative framework for addressing issues of gender justice and women's safety, marking a clear departure from many traditional norms rooted in hierarchy and dependence. It establishes a rights-based approach that recognizes women as equal citizens entitled to dignity, autonomy, and legal protection.

At the core of this framework are fundamental rights such as **Article 14**, which guarantees equality before the law and equal protection of laws; **Article 15**, which prohibits discrimination on grounds of sex and allows the State to make special provisions for women; and **Article 21**, which ensures the right to life and personal liberty, now interpreted to include dignity, privacy, and bodily autonomy. Together, these provisions create a strong constitutional foundation for advancing gender justice in both public and private spheres.

Over time, judicial interpretation has played a crucial role in expanding[11] the meaning of these rights. Courts have moved beyond a narrow understanding of equality to embrace a more substantive approach that addresses real-life inequalities faced by women. The recognition of **privacy as a fundamental right**, the emphasis on **dignity and individual choice**, and progressive rulings related to **sexual orientation and identity** reflect an evolving legal landscape that is increasingly aligned with contemporary human rights standards.

Importantly, the judiciary has also emphasized the idea of **constitutional morality**, which prioritizes the values of the Constitution over social practices and traditions that may perpetuate discrimination. This shift is significant because it allows courts to question and, where necessary, invalidate customs that conflict with principles of equality and justice.

In the context of women's safety, this modern constitutional approach moves away from the traditional model of protection through control and instead focuses on **empowerment, agency, and rights**. It recognizes that true safety is not achieved by restricting women's freedom, but by ensuring an environment where they can exercise their rights without fear.

Thus, the constitutional framework, supported by progressive judicial developments, serves as a powerful tool for re-evaluating traditional norms and advancing a more inclusive and equitable vision of gender justice in India.

X. REINTERPRETATION OF TRADITION: A WAY FORWARD

Bridging the gap between traditional Indian texts and the modern goals of SDG 5 (Gender

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[10] Constitution of India, Arts. 14, 15, 21.
[11] *Justice K.S. Puttaswamy v. Union of India* (2017) 10 SCC 1.

Equality) requires a careful and balanced approach. It is not necessary to completely reject tradition, nor should it be accepted blindly. Instead, there is a need to understand and reinterpret these texts in a way that matches today's constitutional values and human rights principles. This approach helps in preserving cultural traditions while also promoting gender justice in a meaningful way.

One important step is to understand these texts in their proper context. Traditional writings were created in a different social and historical setting, and many rules that seem restrictive today may have been influenced by the conditions of that time. If we apply them blindly in the present, it can lead to unfair outcomes. Therefore, it is important to separate those ideas that are still relevant from those that belong only to the past.

Another important approach is to focus on the positive aspects within tradition. Indian texts are not entirely biased against women. They include examples of women like Gargi and Maitreyi, who were scholars and active participants in intellectual life. These examples show that more equal roles for women did exist. Highlighting such instances can help challenge the belief that inequality is a permanent part of tradition.

At the same time, it is necessary to question those practices that limit women's freedom and dignity. Many restrictive customs have developed over time due to selective interpretation and social habits. These should not be treated as permanent truths. The idea of constitutional morality becomes important here, as it gives priority to values like equality, freedom, and dignity over outdated social practices.

Finally, tradition and modern law should work together. The aim is not to create conflict but to bring them into harmony wherever possible. Through legal reforms, education, and awareness, society can move towards a system where traditions support, rather than oppose, women's empowerment.

In simple terms, reinterpretation does not mean rejecting the past. It means understanding it in a better way and using it to build a more equal and just society.

XI. CONCLUSION

Traditional Indian texts present a complex and changing picture of women's status over time. In the early Vedic period, women appear to have enjoyed a relatively respected and active position in society. They had access to education, participated in religious rituals, and were even involved in philosophical discussions. Women like Gargi and Maitreyi are often mentioned as examples of intellectual participation, which shows that women were not completely excluded

from knowledge and public life. This suggests that early traditions were not entirely restrictive and, to some extent, recognized women as equal contributors to social and spiritual life.

However, this situation gradually changed in later periods. With the development of Smriti literature and a more structured social system, a stronger patriarchal order began to emerge. Women's roles became more confined to the domestic sphere, and their independence was reduced. Social norms started emphasizing obedience, dependence on male family members, and strict moral expectations. As a result, women's access to education, decision-making, and public participation declined. Over time, these ideas became deeply rooted in society and were treated as normal.

This shift highlights a clear contradiction within traditional texts. On one hand, women were respected, praised, and even worshipped in symbolic ways. On the other hand, their real freedom and rights were limited by social and legal rules. This shows that tradition is not simple or one-sided. It contains both progressive and restrictive elements, and therefore it should be understood as something that evolves and can be reinterpreted.

In contrast, Sustainable Development Goal 5 (SDG 5) provides a modern and clear framework for gender equality. It goes beyond just giving equal rights on paper and focuses on real empowerment. It emphasizes safety, freedom from violence, equal opportunities in education and employment, and respect for women's dignity and autonomy. It also stresses the importance of women being able to make their own choices without fear or control.

The main challenge today is not to reject traditional values completely, but to understand them in a better and more balanced way. Blindly following old norms can continue inequality, but a thoughtful and critical approach can help us identify those values that support fairness and justice. By interpreting traditional texts in the light of constitutional principles such as equality, dignity, and liberty, it becomes possible to create a balance between cultural heritage and modern rights. In this way, India can move towards a more just and inclusive society, where progress is achieved without losing its cultural identity.

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