

A Legal Study On Liberal Feminism In India And The Plight Of The Urban Working Women With Reference To The District Of Kamrup Metropolitan, Assam

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ABSTRACT

Addressing the broader issue of gender inequality, this paper examines the human rights perspective on the challenges faced by urban working women in the Kamrup Metropolitan District, Assam. Rooted in liberal feminist principles, which advocate for equality through legal and societal reforms, this analysis extends beyond the workplace to encompass the rights of women regarding recognition of their existence in the true sense.

The paper gathers perspectives from working women, legal professionals, and feminist activists, highlighting the multifaceted nature of gender disparities. Despite existing legal frameworks like the Equal Remuneration Act, Domestic Violence Act, the Sexual Harassment of Women at Workplace Act, etc. the implementation often falls short, leaving women vulnerable not only at work but in various public and private spaces.

Key issues such as understanding mental health, equitable participation in professional arena and equality in sharing the domestic burdens are discussed. These areas are critical for achieving comprehensive gender equality and are strongly influenced by local cultural and social norms. The engagement of local feminist organizations is crucial in advocating for these rights and pushing for effective enforcement of laws that are supposed to protect women.

In conclusion, this paper argues that while legal reforms are essential, the realization of human rights for working women requires a broader societal change. The efforts to empower women in Kamrup Metropolitan district must involve enhancing legal mechanisms alongside fostering a societal culture that respects and upholds the principles of gender equality universally.

Keywords: Liberal feminism, gender equality, human rights, societal conscience, mental health

1.1. INTRODUCTION

Liberal feminism is the feminism of equal rights without giving specific importance to prosex ideas only. It talks about egalitarianism in the society in which everyone's right is

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protected. It demands equal political participation, access to employment opportunities, education and also equal rights when it comes to marriage. It is a reformist ideology which is never offended by the existing system but believes in its capacity to reform itself. It talks about sensitivity towards others and that there should be an equal sharing of burden on all fronts. Liberal feminism is never group-based, but individualistic. It is right specific and believes that rights are granted to individuals who are assumed to be equal.

In the Indian context, this school of thought has influenced various legislative measures aimed at empowering women, especially in urban settings where modernization and globalization have increased female participation in the workforce. However, despite the constitutional guarantees and progressive laws, urban working women in India continue to face multiple challenges — including workplace discrimination, gender pay gaps, harassment, and difficulties in balancing professional and domestic responsibilities. This study explores the extent to which liberal feminist principles have been realized in India's legal framework and examines the lived realities of urban working women, highlighting the gap between law and practice.

1.2. Objectives of the Study

The study attempts to address the following research objectives:

- To gain knowledge about the plight of the urban working women in balancing career and household activities including children.
- To address the issue of sensitization of society about the stress carried by the working women.
- To find out a solution through implanting liberal feminism among people irrespective of gender.

1.3. METHODOLOGY

The researchers have adopted a mixture of doctrinal and empirical methods of data collection and a qualitative assessment has been made. Convenient sampling has been used to collect data from 100 respondents through questionnaires and interviews in the District of Kamrup Metropolitan, Assam. The questionnaire consists of 18 close-ended and 4 open-ended questions to meet the objectives of the study. The items in the questionnaire included issues like working rights, domestic rights, discrimination, care-giving to children, security issues etc.

1.4. Evolution of Liberal Feminism

Liberal feminism has evolved over decades, with key milestones and shifting focus. Beginning in the late nineteenth century with the first-wave feminism movement, women's rights activists advocated largely for legislative reforms such as suffrage, establishing the framework for later generations of feminist action. The debates surrounding women's suffrage and political involvement prompted an analysis of the gender gap at the time.³

³ Burkett Elinor (April, 2025). *Women's Rights Movement*, <https://www.britannica.com/event/womens-movement> (last visited on 23/07/25) ⁴*Id.*

Some argued that because women were morally superior to men, their inclusion in society would enhance public conduct and the political system.⁴ Feminist goals expanded beyond suffrage in the interwar and post-World War II eras, including reproductive rights and employment equality.

The second wave of feminism, which emerged during the 1960s and 1970s, played a pivotal role in challenging institutionalized sexism, patriarchal structures, and rigid gender roles, sparking a profound social transformation. A defining moment of this wave was the protest against the Miss America pageant in Atlantic City in 1968 and 1969, where feminists criticized the event as a patriarchal "cattle parade" that objectified women and reduced them to mere symbols of beauty.⁴ This wave of feminism questioned the societal norms that confined women to domestic spaces or low-wage jobs and demanded broader rights and representation.⁵By addressing a wide range of social and cultural inequalities, the

second wave laid the foundation for future feminist movements and brought feminist discourse into the mainstream.

The third wave, which is still going strong now but first appeared in the 1990s, focused on intersectionality and inclusivity, acknowledging that different intersecting identities impact women's lives. Third-wave feminists urged women to explore their sexuality and uniqueness, preferring to embrace the spirit of rebellion over reform.⁶ Third wave feminism also sought to be more inclusive when it came to race and gender.⁸

While some argue that society remains within the third wave of feminism viewing current developments as an extension rather than a transformation. But many scholars and activists identify a distinct fourth wave. This perspective is largely shaped by the impact of the *MeToo* movement and a renewed backlash against women's rights.⁷ Characterized by digital activism, particularly through social media, the fourth wave has propelled feminism into the contemporary era with unprecedented global reach and immediacy. Building on the third wave's emphasis on inclusivity and intersectionality, the current wave raises critical questions about the deeper meanings of freedom, equality, and empowerment in a rapidly evolving social and political landscape.

Liberal feminism has remained steadfast in its commitment to achieving gender equality through social and legal changes, pushing for the removal of obstacles to discrimination and the advancement of equal opportunities for women in all spheres of society throughout its development.

1.5. The Indian Context

In ancient India, women were never discriminated against. They were treated equal to men. They were revered as mothers and Goddesses. In the ancient texts TaittiriyaSamhita, women and men were considered as two wheels of a cart. This lesson given to society was

⁴ Douglas, C. A. (1990). *Love and politics: Radical feminist and lesbian theories*. ISM Press.

⁵ Id

⁶ Snyder, R. C. (2008). What is third-wave feminism? A new directions essay. *Signs: Journal of Women in Culture and Society*, 34(1), 175–196. <https://doi.org/10.1086/588436> (last visited on 24/07/25) ⁸Id.

⁷ Human Rights Careers. (n.d.). *Human Rights Careers*. <https://www.humanrightscareers.com> (last visited on 24/07/25)

such a good example of equality among all sexes. Vedas also talk about gender equality without any kind of discrimination towards women. Gender equality entails the concept that all human beings are free to develop their personal abilities and choose the pursuit of their lives. It specifies that different behaviour and aspirations of men and women are to be valued and favoured equally. This ideology is reflected in liberal feminism in the modern era. It includes fairness in the treatment in terms of rights, opportunities, benefits and obligations. The Indian legal regime follows liberal feminism in provisions of different documents including the Constitution of India which reflect equality of treatment to every person.⁸

Liberal feminism finds resonance within the Constitution of India, which serves as a cornerstone for promoting gender equality and safeguarding women's rights. Fundamental rights, such as the Right to Equality (Article 14), guarantee equal treatment under the law irrespective of gender, laying the groundwork for challenging discriminatory practices. Moreover, the Right to Freedom (Article 19) provides avenues for women to voice their opinions, organize for social change, and challenge patriarchal norms, essential elements in liberal feminist advocacy.⁹ Article 15 prohibits discrimination based on gender, bolstering efforts to eliminate gender-based disparities in education, employment, and public spaces.

Additionally, the Right to Life and Personal Liberty (Article 21) encompasses reproductive rights and bodily autonomy, acknowledging women's agency over their bodies and life choices. Furthermore, Article 16 ensures equal opportunities for women in public employment, reinforcing the liberal feminist goal of achieving gender parity in the workforce and public office.

Liberal feminism is intricately intertwined with the Protection of Women from Domestic Violence Act, 2005, representing a pivotal step towards challenging entrenched gender inequalities and protecting women's rights within the private domain. Enacted to combat the pervasive issue of domestic violence, this legislative framework embodies liberal feminist principles by acknowledging the multifaceted nature of abuse – encompassing physical, emotional, sexual, and economic forms – and providing legal avenues for redress and protection for survivors. By recognizing domestic violence as a fundamental violation of women's rights and granting them access to legal recourse, the Act aims to empower women to assert their autonomy and seek justice, thereby challenging traditional power imbalances inherent in patriarchal structures. However, the effective implementation of the Act and the accessibility of support services for survivors remain ongoing challenges, underscoring the continued imperative for liberal feminist advocacy and activism to comprehensively address domestic violence and advance gender equality.

The Protection of Women from Sexual Harassment at Workplace Act(2013) exemplifies liberal feminist principles by addressing gender-based discrimination in professional

⁸ Times of India. (n.d.)(Nov. 2022). *Women's empowerment in India, from ancient period to modern time period*. <https://timesofindia.indiatimes.com/readersblog/scatteredthoughts/womens-empowerment-in-india-fromancient-period-to-modern-time-period-46689/>(last visited on 28/07/25)

⁹ iPleaders. (2019). *Feminist jurisprudence in the Indian Constitution*. iPleaders Blog. <https://blog.ipleaders.in/feminist-jurisprudence-indian-constitution/>(last visited on 30/07/25)

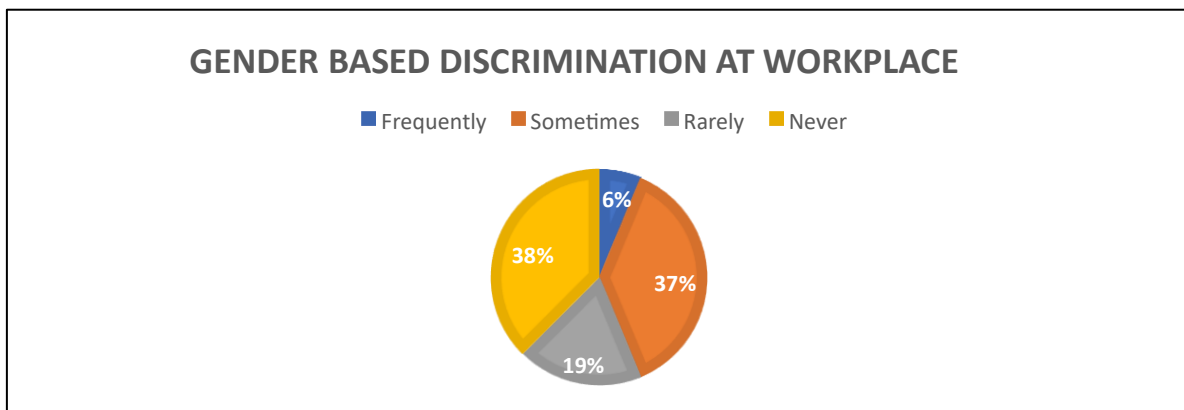
settings, providing preventive measures and redressal mechanisms to ensure women's safety and equal treatment at work. Similarly, the Maternity Benefit Act (1961) acknowledges women's unique challenges by guaranteeing paid maternity leave, supporting their economic autonomy, and mitigating the impact of motherhood on career advancement. In education, the Right to Education Act (2009) promotes gender-inclusive learning environments, challenging traditional gender norms, while the Equal Remuneration Act (1976) mandates equal pay for equal work, reflecting liberal feminist ideals of economic justice and closing the gender pay gap. Together, these legislative measures illustrate liberal feminism's comprehensive approach to dismantling systemic barriers and advancing gender equality in various facets of life.

In contemporary India, liberal feminism manifests across diverse spheres, spanning sports, art, music, and media, where women assert agency, challenge norms, and advocate for equality. Athletes like PV Sindhu, Mary Kom, and Hima Das stand as symbols of resilience and determination, breaking through gender barriers and inspiring girls nationwide to pursue athletic excellence fearlessly. In the art world, figures like Bharti Kher and Reena Saini Kallat use their creative platforms to deconstruct patriarchal constructs, offering poignant reflections on identity and womanhood. Meanwhile, in music, artists such as Sona Mohapatra and Raja Kumari infuse their compositions with social commentary, amplifying voices and narratives that champion female empowerment and gender inclusivity. In media and entertainment, a growing representation of women across diverse roles fosters a more inclusive narrative landscape, reflecting the evolving contours of liberal feminist discourse in contemporary India. These multifaceted expressions of liberal feminism not only challenge societal norms but also empower women to navigate and reshape cultural spaces on their own terms, ushering in a more equitable and inclusive future.¹⁰

1.6. RESULTS AND DISCUSSIONS

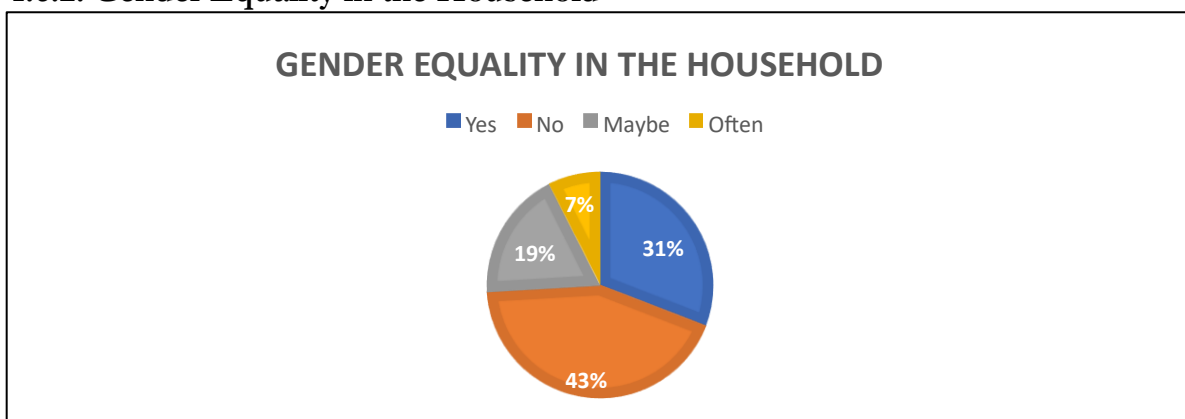
This study delves into the nuanced realities faced by urban working women in Kamrup Metropolitan District, Assam, within the framework of liberal feminism. The result of the empirical investigation highlights the legal and societal challenges that permeate their daily lives, exploring how existing societal and legal structure support or fail to support the aspirations and rights of these women. Through a combination of quantitative data and qualitative insights, this section critically evaluates the intersection of gender, legal rights, workplace and domestic dynamics, offering a comprehensive analysis of the progress and pitfalls in the journey toward gender equality in urban India. **1.6.1. Gender Based Discrimination at Workplace**

¹⁰ ThePrint. (2024, October 10). *How feminism shaped Indian art*. <https://theprint.in/pageturner/excerpt/howfeminism-shaped-indian-art/2159919/> (last visited on 02/08/25)



Upon qualitative analysis of the data concerning women's experiences of gender discrimination in the workplace as regards the Kamrup Metropolitan District, nuanced patterns emerge, reflecting varying perceptions and encounters with bias. The responses reveal a spectrum of experiences, ranging from frequent instances of discrimination to rare occurrences or even none at all. While some women report facing discrimination frequently, suggesting systemic issues within their workplaces, others indicate sporadic encounters, hinting at the presence of isolated incidents or subtler forms of bias. Additionally, responses indicating no experience of discrimination underscore the existence of inclusive work environments or individual perceptions shaped by unique circumstances. This qualitative assessment underscores the complexity of gender dynamics in the workplace and emphasizes the need for tailored interventions to address systemic biases and promote equitable treatment for all employees. It also highlights the importance of fostering environments where women feel empowered to voice their concerns and where organizational cultures prioritize diversity, inclusion, and respect for all.

1.6.2. Gender Equality in the Household



In the survey, it was found that most of the females, who responded, are between the age of 36-45 years, which is the peak time when working women face the troubles due to the need of balancing family, children and the career. Most of the respondents are married women even though the result does not require marital status as an important factor. It has been noticed that in spite of the legal protections afforded by the Country’s legal regime, the issue of equality is not attained as the household activities are mostly not shared and promotion to women are denied often due to their status. Most of the respondents are

highly qualified, working females who also face discrimination in the workplace and in their homes. Care-giving is an activity which is specifically dedicated to women by the society and there is less sensitization about sharing that responsibility in the families. It is expected that women are to manage all the domestic duties including children while maintaining her career; and very few families extend support to such females without being asked for. Such treatments are normalised by the society. Almost 56% of the respondents feel that the society is not sensitive about problems faced by the working women managing their children who do not receive the required support from the people around them. 89% of them feel that the mothers are wrongly tagged and expected to be the so-called 'superwomen' by the society, which is not an appreciation, but a misnomer.

Many people in the region express egalitarian views towards gender roles in the home. Some 62% educated adults say that both men and women should share the responsibility of taking care of the children. But traditional gender norms are still prevalent among a large segment of the population even in the urban setting. Roughly some 34% adults feel that childcare is a woman's task.

Similarly, 54% people say that both the men and women in families should be responsible for earning and sharing economic burdens. But, many among the population see this as mainly a man's job to bear the economic burden. They believe that when jobs are scarce, men should have greater rights to employment than women.

It was reported that the organisations in which they work are having policies for gender equality among the employees. But they are moderately followed mostly in the private organisations. The respondents are mostly neutral in their responses regarding the legal support available for women in the District of Kamrup Metropolitan. According to 88% women it has become a real big challenge for them to balance career advancements with societal expectations of care-giving and domestic responsibilities.

1.6.3. Accessibility to Benefits and Services

It has been witnessed in the survey that urban working women are, many times, intimidated by insecurity when they identify discrimination in societal behaviour. Being in a democracy, the rights and services are to be availed by everyone. But generally, women are deprived of these on many occasions. Women are less secured in the public transportations which they are bound to avail. There are incidents like *Nirbhaya Case*¹¹ in 2012 which intimidate working females in the country. Women are molested in the public transportations by the perverts. There is no possibility that any law or punishment can decrease this perversion when the humans are not sensitive enough.

Mental health of women is of utmost concern which is often ignored. It has been stated by the respondents (67%) that the stress level is increasing day-by-day due to the growing workload among the working mothers and also among the other working women. Therefore, depression has become a very common ailment which most of the people do not understand. Almost 70% of the women said that their mental health is totally ignored by the employers as well as the family members.

¹¹ Mukesh & Anr. v. State for NCT of Delhi & Ors., AIR 2017 SC 2161.

Women's participation in politics and decision-making is a critical indicator of a nation's development and social progress. Greater involvement of women in these spheres can lead to transformative changes in laws, policies, institutions, and societal norms. Ensuring that

women have a voice in decisions that affect their lives, families, and communities is essential for improving the overall quality of life. Inclusive governance not only promotes equality but also reflects the diverse perspectives of the population. In India, while women have begun to engage more actively in political and decision-making processes, their representation remains significantly limited. Despite the passage of the Constitution (106th Amendment) Act, 2023, which mandates the reservation of one-third of seats in the Lok Sabha, State Legislative Assemblies, and the Delhi Legislative Assembly for women, their presence in these bodies is still far from adequate. True progress requires not just legal provisions, but also cultural and structural shifts that support women's meaningful participation at all levels.

More women should come forward to participate in the political and judicial decisionmaking process, so that their voices are heard, and it becomes obvious that everyone, irrespective of sexual orientation, gets equal status in the country.

1.7. Changes Required in the Society

As already mentioned, India recognises the concept of gender equality under the Constitutional provision as well as through different gender friendly legislations in the country. But the sensitivity towards fellow beings cannot be awakened through laws. It has to be felt internally by people. There are some behavioural changes required to deal with insensitivity of people towards other genders including women.

1.7.1. Need for Positive Masculinity

There is a need for positive masculinity in the region as well as in the country which involves challenging traditional roles and promoting healthier expressions of masculinity that supports gender equality and social justice. This also includes fostering qualities such as empathy, respect and emotional intelligence among men and boys. Positive masculinity encourages men to be allies in the fight against gender-based violence, discrimination and harmful stereotypes. By promoting positive role models, challenging harmful cultural norms and engaging men and boys in conversations on gender equality, India can work towards creating a more inclusive and equitable society for all genders.

1.7.2. Empower Next Generation

The seeds of non-discrimination should be planted in the next generation. In their childhood only, the children are to be sensitised about gender neutrality and nondiscrimination. If a healthy mindset can be built among the children, it will be a contribution of the parents and teachers towards the country in diminishing all types of inequality from the society.

1.7.3. Gender-Sensitive Education

Access to education is a good step that has already been adopted in India. But only accessibility is not enough; there is a need to monitor what we are accessing. The education should display a gender-neutral attitude by giving not much emphasis on emancipation of women. It is to be kept in mind that the majority of the women, mostly in urban areas, in

our country are already emancipated. There is only a need to recognise that there is no inequality by making inclusion possible.

1.7.4. Stop Harmful Practices

Harmful practices involve different forms of gender violence or ritual discrimination that has been normalised by the society such as female genital mutation, child marriage, honour killing and all other crimes against women. In the name of rituals, these harmful practices are deeply rooted in the culture and tradition. India has many legislations and Constitutional provisions against such acts. But, due to the stereotypical mindset of the society, such practices are still prevalent. Unless and until the societal mindset is transformed and people start recognising everyone as humans only, instead of genders, the laws will continue to be useless.

1.8. Law and Policy Suggestions

The Protection of Women from Sexual Harassment at Workplace Act, 2013 supports the liberal feminist approach by emphasizing legal structures to achieve gender equality, focusing on eliminating workplace barriers that women face. However, there are areas where the Act could be strengthened to better amplify the goals of liberal feminism.

The Act largely treats women as a homogeneous group, and as such it may not consider the variety of harassment experiences that women from various age groups, castes, socioeconomic backgrounds, and sexual orientations may have. Using an intersectional perspective could assist in addressing the unique needs and vulnerabilities of every group of women. Also, the Act might be more prescriptive regarding preventive measures including routine workplace audits, greater compliance requirements, and better rules that proactively prevent harassment rather than just respond to incidences, even though it mandates committees and awareness programs.

The Act operates somewhat in isolation from other employment and criminal laws. More explicit linkages to other legal provisions, such as those related to discrimination, privacy, and labour rights, could provide a more comprehensive legal framework supporting liberal feminist ideals. The Act covers all workplaces, but practical implementation in informal sectors like domestic work, street vending, etc. is challenging. Specific provisions tailored to the realities of these workplaces could ensure better protection.

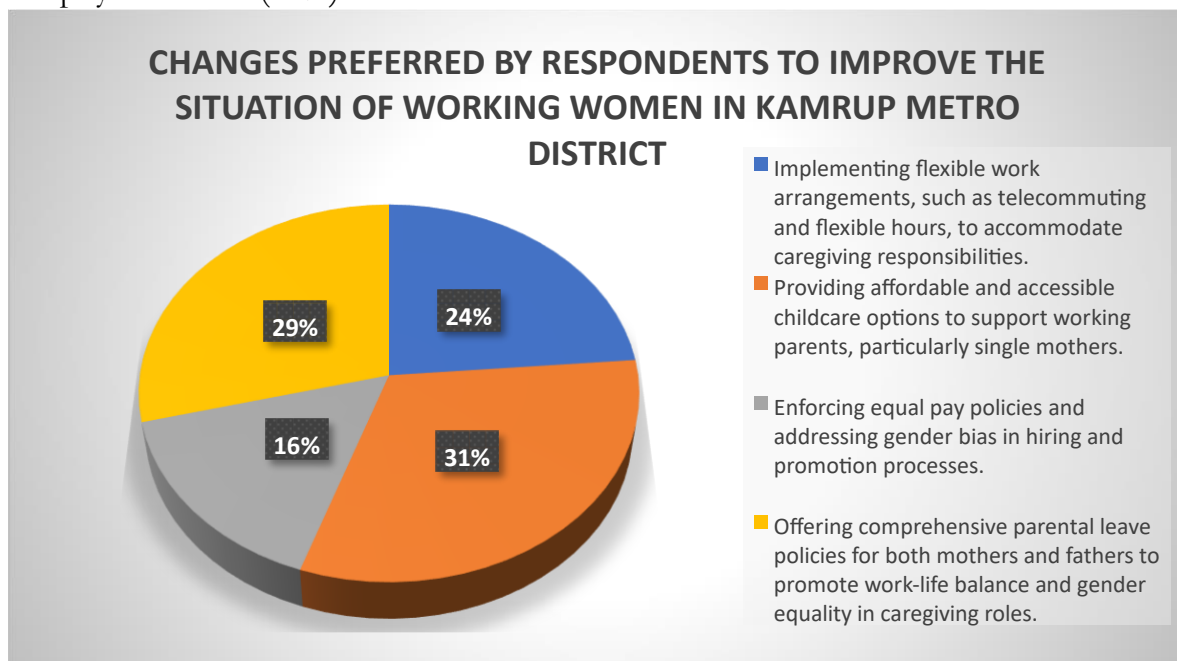
As regards the Protection of Women Domestic Violence Act, while it is crucial for addressing gender-based violence, it can be critiqued for certain limitations that can affect its alignment with liberal feminist ideals. While the Act provides crucial legal recourse to women experiencing domestic violence, urban working women may encounter unique barriers that could be better addressed to align with liberal feminist goals.

Urban working women often have their own income and are financially independent, which can shift the dynamics of domestic abuse. The Act could be amended to address economic abuse more explicitly, such as controlling a woman's earnings, which is a prevalent issue that can tether women to abusive relationships despite having their own income. Considering the amount of time urban working women spend at work, the Act may require employers to implement procedures that assist victims of domestic abuse. This might entail mandating that workplaces offer services like confidential support systems, flexible work schedules, and leave for court cases. Recognizing the part that workplaces play in the larger

network of assistance for women who are victims of domestic abuse, can be made easier by this kind of integration.

1.9. CONCLUSION

In the District of Kamrup Metropolitan, the data stated that to improve the condition of the working women and to lessen their workload in the workplace as well as in their houses, there is a need for implementing flexible work arrangements, such as telecommuting and flexible hours, to accommodate care-giving responsibilities (24%). There should be affordable and accessible childcare options to support working parents, particularly single mothers (31%). There should be comprehensive parental leave policies for both mothers and fathers to promote work-life balance and gender equality in care-giving roles (29%). There must be equal pay policies and gender bias in hiring and promotion processes should be aptly addressed (16%).



In addition, there is a need to implement the existing laws and awareness programmes are to be organised frequently in all areas, which will remind people of their responsibilities towards each other. A time has arrived when the society should come out of the age-old discriminatory practices and stereotypical mindsets and welcome liberal attitudes towards every gender, every human being in the society. Recognition of human rights does not cost anything. To be counted as a human is the inviolable right of every person. This is not a complicated concept to internalize and to recognise every other person as an individual, not as a sex.

References:

1. Davis A. (1981) *Women, Race and Class*. Vintage Books, New York
2. Eisenstein, Z. (1981) *The Radical Future of Liberal Feminism*. Longman, New York 3. Human Rights Careers. (n.d.). *Human Rights Careers*.

<https://www.humanrightscareers.com>

4. iPleaders. (2019). *Feminist jurisprudence in the Indian Constitution*. iPleaders Blog.

<https://blog.ipleaders.in/feminist-jurisprudence-indian-constitution/> 5.

Mukul M. ,Liberal Feminism, <https://blog.ipleaders.in/liberal-feminism/>

6. Snyder, R. C. (2008). What is third-wave feminism? A new directions essay. *Signs: Journal of Women in Culture and Society*, 34(1), 175–196. <https://doi.org/10.1086/588436>

7. ThePrint. (2024, October 10). *How feminism shaped Indian art*.

<https://theprint.in/pageturner/excerpt/how-feminism-shaped-indian-art/2159919/>

8. Times of India. (n.d.)(Nov. 2022). *Women's empowerment in India, from ancient period to modern time period*. <https://timesofindia.indiatimes.com/readersblog/scatteredthoughts/womens-empowerment-in-india-from-ancient-period-to-modern-time-period-46689/>

9. UN Women, New Feminist Activism, Waves and Generations, <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2021/Discussion-paper-New-feminist-activism-waves-andgenerations-en.pdf>

10. Wollstonecraft, M. & Brody, M. (1993) *A Vindication of Rights of Women*. Penguin, New York.