



REVOLUTIONISING WOMEN EMPOWERMENT THROUGH LEGAL REFORMS AND SOCIAL CHANGE: A PARADIGM SHIFT IN INDIAN KNOWLEDGE SYSTEMS

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Abstract

The empowerment of women in India has been radically changed within the last several decades, and it was influenced by the combination of legal changes, social development, and changing perceptions of Indian Knowledge Systems (IKS). In this paper, women empowerment is discussed as a capacity as well as a right since sustainable empowerment is possible where individual agency is reinforced by legally binding rights and responsive institutions. Based on the capability approach and the rights-based paradigm, the paper examines significant legal changes surrounding equality, protections against violence, dignity in the workplace, property rights, political representation and protection of reproductive and labour rights. The paper also emphasises that, even legal reforms cannot result in substantive empowerment without other more sweeping social change processes, such as social norm changes, movements in legal consciousness, community organisation and institutional responsibility. In this regard, IKS is analysed as not only a cultural heritage but as a framework of ethics of justice based on the values of dharma (responsibility), nyaya (realised justice), and agency. Another important result of the critical reinterpretation of IKS is to enhance the ethical validity and societal approval of gender-just governance without contradicting with the constitutional values and human rights norms. Through a legal perspective and social and ethical lens, the paper presents a rights- and IKS-based governance framework that focuses on capacity building, enforceable rights, institutional performance

and quantifiable results. The paper finds that the present stage is a paradigm change in Indian women empowerment as it is characterized by shift towards welfare based practices to rights instead of accountability based and ethical in governance.

Keywords: Women empowerment, legal reforms, social change, Indian Knowledge Systems, Gender justice, Capability approach, rights based government.

1. Introduction

Empowerment of women has become an issue of focus of modern legal, social and developmental discourse in India. It is not considered only as a welfare producing goal, but as a right socially necessitate demand associated with equality, dignity and social justice. In this context, empowerment can be defined as the process by which women can obtain powers to make strategic life decisions, agency, and even gain access to resources and become active in social, economic, and political institutions (Kabeer, 1999). This has taken place in the Indian context because of a complicated interplay of constitutional requirements, statutory reforms, judicial interpretation and changing social norms.

The Indian constitution offers a sound normative base in the empowerment of women because it ensures equality under the law and it forbids discrimination based on sex (Constitution of India, 1950). These constitutional principles over the years have been translated into a broad number of legal reforms that deal with gender based violence, discrimination in the workplace, political representation, property rights, reproductive and labour related protection. The replacement of protectionist laws by rights and entitlement laws signifies a tremendous change in the perception of the role of women in the society (Agnes, 2011). Laws like the domestic violence laws, sexual harassment in the workplace, and inheritance rights are some of the signs that the state perceives private and public spaces as places of gendered power relations.



Nevertheless, the legal reform alone does not necessarily lead to empowerment. Social approval, organizational ability, and individual disposition to rise and implement their rights are critical in law effectiveness. Patriarchal norms, social stigma, economic dependency, and the absence of legal literacy usually restrict the transformative potential of progressive legislation (Baxi, 2014). Consequently, social change processes like education, community mobilisation, political participation and cultural reorientation become very instrumental in shifting legal right to lived reality.

Indian Knowledge Systems (IKS) in this respect provide a valuable yet under-researched model of the empowerment concept. IKS, which are based on indigenous philosophical, ethical and social practices, focus on the ideas of dharma (duty and moral order), nyaya (justice), and shakti (agency or power). Although the traditional practices have sometimes strengthened the gender hierarchies, the underlying concepts even carry normative engagement towards dignity, balance, and social accountability (Sharma, 2006). Critical and contextual reinterpretation of IKS can lead to the alignment of constitutional values and native ethical systems, which will enhance the effectiveness of the legitimacy and social acceptance of gender-just reforms.

The current stage of female empowerment in India can hence be interpreted as paradigm shift. This transition is marked by the intersection of legal changes, institutional policies, and a social-based redefinition of knowledge systems that are based on justice and agency and not subordination. This paper will attempt to explore the impact of modern reforms in transforming gender relations and defining empowerment in contemporary socio-legal space of India by placing the feminine empowerment at the convergence of law, social change, and Indian Knowledge Systems.

2. Conceptual Framework: Empowerment, Law, and Indian Knowledge Systems (IKS)

2.1 Women's Empowerment as Capability and Entitlement

The conceptualization of women empowerment presented in this study is the capability and entitlement. Empowerment as a capability is what women can actually do and actually be in their contexts of living. Relying on the capability approach formulated by Sen (1999), development and well-being is conceptualized as real freedoms and substantive opportunities or not solely on the basis of formal equality, income growth, and symbolic inclusion. In that regard, the empowerment broadens as the capability set of women increases, and they can look realistically at the education, a decent work, control over the body, attendance at the society and personal security.

One of the most acceptable operational frameworks of comprehending the issue of empowerment is presented by Kabeer (1999), who introduces the concept of empowerment as the process whereby such people who were denied the right to make strategic life choices obtain such right. Her model is based on three dimensions that are linked to each other:

- Resources, material, social and human resources that increase the ability to exercise choice;
- Agency, which means the power of the decision-making; negotiation, resistance, and voice;
- Achievements, also known as the results that can be used to measure the manifestation of enlarged choices in daily life (Kabeer, 1999).

Although the capability approach is able to represent the substantive aspect of empowerment, this paper provides a rights-based clarification by means of highlighting the concept of empowerment as entitlement. The capabilities stay loose unless they are backed with legal rights that help to turn social aspirations into legal rights. Due to the fact that legal entitlements characterize the responsibilities of the



state and other participants, complete procedures, and remedies, the rights may be obtained and implemented. More specifically, the institutional channels entailed by entitlement-based empowerment would be institutional redress of grievances, protection and representation provisions that would allow women to pursue their rights without being disproportionately costly to the social and economic fabric.

This combined knowledge is compatible with the policy based methods to empowerment, which sees political participation, economic participation and control of productive resources as the major indicators (UNDP, 2009). In this connection, the working definition used in the current paper is the following: Women Empowerment refers to the growth of women capabilities and agency ensured by enforceable rights and institutions that provide the access to rights in the real life (Kabeer, 1999; Robeyns, 2011; Sen, 1999).

2.2 Why a “Paradigm Shift”?

The paradigm shift in this paper is to refer to a change in the understanding and governance in women empowerment in India, and not an increment in schemes, policies or rhetoric promises. There are three conceptual markers to justify the application of this term.

The first one is the transition to a rights-and-institutions logic, or the abandonment of a welfare logic.

The previous ways of addressing women issues were in many ways showing women as recipients of protection or welfare. It has become common in modern regimes to see women being viewed as right-bearing citizens whose equality and dignity are not only legitimate claims to be upheld by an institution. This shift can be seen in the overall increase in the focus on formal grievance redressal mechanisms, due-process procedures, and accountability requirements, which re-brand empowerment as a discretionary act of assistance as opposed to a legally enforceable right.

Second, the change of formal equality to capability realization.

One of the key findings of the capability approach claims that equal rules do not necessarily imply equal freedoms (Sen, 1999; Robeyns, 2011). A paradigm shift would take place when approach to law and policy is based on actual access to safety, asset, voice and opportunity as opposed to reliance on declaratory equality only. Empirical research has shown, as an example, that, land and property rights of women are a significant source of bargaining power, economic security and resistance to violence, which empowers women through actual control of the resources and less as such related to legal status (Agarwal, 2003).

Third, the transformation of empowerment as a result to empowerment as a process.

Kabeer approach is explicit in considering empowerment as a process which can be measured in resource, agency and achievement change over time (Kabeer, 1999). After conceptualizing empowerment in this manner, an analytical focus is placed on the actual modifications in the lives of women including reporting capabilities, personal mobility, power of decision making, property ownership, and institutional sensitivity. The Gender Empowerment Measure policy instruments are indicative of this shift toward tracing participation and control as opposed to using abstract indicators (UNDP, 2009).

Therefore, this so-called paradigm shift, which is argued in this paper, does not imply that gender injustice has been addressed. Instead, it points out an governance paradigm that is gradually influenced by the interplay of capability building, enforceable rights, institutionalization, and quantifiable responsibility.

2.3 Indian Knowledge Systems (IKS) as a Justice-Oriented Interpretive Lens

Indian Knowledge Systems (IKS) are often talked about as cultural heritage, though can be also analytically used as a normative and interpretive tool



of assessing justice, government, and institutional action. IKS is broadly described as traditions of jnan (Knowledge), vijnan (Systematic understanding) and jeevan darshan (Philosophy of life) by policy statements that relate to the National Education Policy (NEP), which are based on observation, experience, and inquiry (Ministry of Education, 2020).

To prevent a symbolic and mindless application of tradition, the paper will utilise a justice-focused lens of IKS, organised in three interpretive moves.

To begin with, dharma as responsibility and not social order.

Rather than viewing dharma as an excuse of rigid or stratified gender roles, a justice-focused reading talks of the accountability, moral duty, and social order based on dignity and equity. Modern institutional expressions of IKS emphasize its pragmatic applicability to government and societal welfare as well, and advocate an understanding of dharma as responsibility of the mighty, as opposed to obedience of the weak (IKS Division, Ministry of Education/AICTE).

Second, enact justice, as opposed to procedural correctness, in itself.

The difference between niti (what is right in terms of rules and institutions) and nyaya (what justice is in the real social life) that is distinguished by Sen is especially pertinent to the analysis of empowerment (Sen, 2009). This difference converts the question of evaluations into the form of whether laws are formally sound or whether the institutions actually minimize injustice, deprivation and vulnerability. To empower women, this implies evaluation of the outcomes of the implementation as opposed to evaluating the intent of the legislation.

Third, IKS as a vital asset of gender equity.

Recent scholarship holds that IKS might be recruited to challenge patriarchal regimes, and reclaim ethical

discourse that helps endorse gender justice, as long as it is done critically and contextually and not as a fixed tradition. This kind of reading places IKS in a position of being even with constitutional morality and rights-based government, as opposed to being an alternative to the latter.

Application in this study.

In this context, laws are not measured based on what they contain in the text (niti), but on what they attempt to produce in practice in terms of access, safety and institutional outcomes (nyaya) (Sen, 2009). Social processes of change are seen as the mediator in bringing legal rights into the expansion of lived capabilities (Kabeer, 1999; Sen, 1999). Lastly, IKS is used to reinforce the ethical foundation and social validity of gender-just reforms and does not contradict the constitutional values and accountability benchmarks in the expressions of modern policy.

3. Legal Reforms Driving Women's Empowerment in India

The reformation of Indian law has been at the center stage in the reform of structures that have been limiting the access of women to justice, economic participation and autonomy of self-determination. In recent decades, the legislature and the judiciary in India have come up with and reinforced laws dealing with gender inequality, safety in the workplace, discrimination in family laws, and violence against women. These reforms also mark a change in the symbolic legal provisions being more in-depth frameworks that establish enforceable entitlements and institutional duty.

Among the reforms, one focuses on violence and safety guarantees. Protection of Women from Domestic Violence Act, 2005 was the first legislation that formally recognized domestic violence as extending further than physical abuse to include emotional, verbal, sexual, and economic abuse and also offered civil remedies in the form of protection orders and rights to reside (Protection of Women from



Domestic Violence Act, 2005). On the same note, criminal law (amendment) act of 2013 (the Nirbhaya Act) enhanced criminal law provisions concerning sexual offences, which is in line with societal demands of more stringent legal actions against gender-based violence (Criminal Law (Amendment) Act, 2013).

Reforms at the workplace have been relevant as well. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 formalised the mechanism of prevention and redress of sexual harassment in the workplace, as an extension of the Vishakha guidelines of the Supreme Court, which identified sexual harassment as a fundamental right and offered interim protection before it became law (Vishakha and Others v.). Sexual harassment of Women at Workplace Act, 2013; State of Rajasthan, 1997.

Along with safety and work, legal reforms have increased the economic and civil rights. The introduction of reforms in the inheritance legislation like Hindu Succession (Amendment) Act, 2005 was designed to balance the rights of daughters in coparcenary property which had been a long-standing cause of economic disenfranchisement though the implementation and social acceptance of the law remains a problem (Realizing Women's Property Rights..., 2025). The other legal mechanisms in the fields of marriage, divorce, and personal status still determine the civil rights of women (Gender Equality and Women Empowerment in law, in India, 2023).

It is the collective impact of those reforms that have resulted in a legal structure that does not only acknowledge the rights of women, but also brings them to life through processes, redress, and responsibility of institutions. Although loopholes remain in implementation and availability, the scope of such changes is symptomatic of a critical enlargement of the rights of women across the Indian legal framework.

4. The Implementation Engine of Social Change.

Reforms in law will not ensure the empowerment of women, unless accompanied by the wider social transformation that changes norms, the level of awareness on rights, and institutional responsiveness. The process of social transformation in India is taking the form of the social education of the masses, mobilisation of the people and the change in the cultural values that are making women able to claim their legal rights and fully engage themselves in the social life.

Empowerment and social norms have always been outlined as intertwined in scholarly works. Empowered women can make withstand wider social transformation, disrupting any discriminative gender roles and promoting justice, which can lead to the reduction of negative practices such as child marriage and dowry-related demands (Khatri et al., 2020). The higher the women are involved in education and politics, the more inclusive the decision-making and policy results are, which supports accountability and representation at various governance tiers (Khatri et al., 2020).

Implementation is also influenced by community-based interventions, mass awareness campaigns and civil society movements. Nationwide campaigns against violence and discrimination are some of the initiatives aimed at normalising reporting crimes committed against women and cultural acceptance of the legal protection (Honour for Women National Campaign, 2009). On the local front, the channels through which women can receive information, legal literacy, and collective bargaining power are self-help groups, community leaders and women organisations that allow women to demand their rights in the real-life situations (Impact of Social Norms on Women Economic Empowerment..., 2025).

Another important component is institutional responsiveness. Enforcing the law, the courts, and the administrations should be able and willing to turn the legal text into the relief available in due time and in a



just manner. These entail training of police and courts to be gender-sensitive, have easy complaint systems, as well as elimination of socio-economic obstacles to justice access. This has been facilitated in most areas by supplementary programmes which have integrated legal rights with economic, educational and health services which are aimed at a holistic approach on empowerment.

In short, social change is the vehicle of implementing legal change: its legal stipulations establish the framework, but social norms should be adjusted, the level of awareness of people in the society raised and institutions fortified to turn the legal entitlements into practicable abilities in the lives of women.

5. IKS and Gender Justice: From Symbolic Culture to Ethical Governance

Indian Knowledge Systems (IKS) are frequently referenced in contemporary policy and academic discourse as repositories of cultural heritage and civilizational values. However, when invoked only symbolically, IKS risks reinforcing selective traditions without addressing structural inequalities. A gender-justice perspective requires repositioning IKS as a framework for **ethical governance**, where social practices and institutions are evaluated against principles of justice, dignity, and accountability rather than cultural continuity alone.

The National Education Policy (NEP) 2020 conceptualizes IKS as a body of *jnan* (knowledge), *vijnan* (systematic understanding), and *jeevan darshan* (philosophy of life), grounded in observation, reasoning, and experiential learning, with relevance across governance, law, ethics, and social organization (Ministry of Education, 2020). When interpreted through this lens, IKS can complement constitutional values by offering ethical foundations for justice-oriented institutions rather than functioning as a parallel or oppositional system.

5.1 Dharma as duty-bound accountability

In a justice-oriented interpretation, *dharma* is understood not as a justification for rigid gender roles but as a principle of responsibility and moral obligation. Classical philosophical interpretations emphasize *dharma* as sustaining social order through ethical conduct and accountability, particularly of those who exercise power (Sharma, 2006). Applied to gender justice, this implies a duty on families, employers, institutions, and the state to prevent harm, protect dignity, and ensure fair treatment. Such an understanding aligns with contemporary legal frameworks that impose affirmative obligations on institutions to safeguard women's rights rather than placing the burden of adjustment on women themselves.

5.2 Nyaya as realised justice

Amartya Sen's distinction between *niti* (the correctness of rules and institutions) and *nyaya* (justice as it is actually realised in social life) provides a crucial bridge between IKS and modern rights-based governance (Sen, 2009). From a *nyaya* perspective, the ethical validity of law is assessed not by formal compliance alone but by outcomes such as safety, accessibility, and reduction of injustice. For women's empowerment, this means evaluating whether legal reforms translate into timely relief, institutional responsiveness, and reduced vulnerability in everyday life.

5.3 From cultural symbolism to governance ethics

A gender-just application of IKS thus requires moving from cultural symbolism to governance ethics. Concepts such as dignity, non-violence, fairness, and duty of care must inform institutional behaviour, administrative practices, and social norms. When IKS is used as an ethical lens rather than a cultural ornament, it strengthens the legitimacy of gender-just reforms while remaining compatible with constitutional morality and universal human rights principles (Sen, 2009; Ministry of Education, 2020).



6. Challenges and Gaps

Despite significant legal and policy advances, women's empowerment in India remains constrained by persistent social, institutional, and structural barriers. One of the most critical challenges is under-reporting of violations, driven by fear of stigma, retaliation, family pressure, and economic dependence. Crime statistics indicate that violence against women continues to be widespread, underscoring the gap between legal protection and lived security (National Crime Records Bureau [NCRB], 2022).

Institutional capacity and uneven compliance further weaken implementation. Many empowerment-oriented laws depend on the effective functioning of local-level institutions, committees, and officers. Where such bodies lack training, independence, or resources, legal entitlements fail to translate into real capabilities. Delays in courts, limited access to legal aid, and procedural complexity disproportionately affect rural women, informal-sector workers, and those facing intersecting forms of disadvantage.

Economic dependency remains a major constraint on the exercise of rights. Even when remedies exist, women may be unable to exit unsafe workplaces or households due to lack of income, housing insecurity, or caregiving responsibilities. Without integrated economic and social support, legal empowerment risks becoming formal rather than substantive (Agarwal, 2003).

Finally, the selective invocation of tradition poses a normative challenge. When IKS is used without a critical, justice-oriented interpretation, it can inadvertently reinforce hierarchy and exclusion. The absence of gender-sensitive reinterpretation creates a gap between ethical ideals and governance outcomes (Sharma, 2006).

7. The Way Forward: A Rights + IKS-Informed Governance Model

A sustainable model of women's empowerment requires integrating legal rights, institutional accountability, and justice-oriented interpretations of IKS. Rather than treating law and culture as separate domains, governance frameworks should align enforceable entitlements with ethical commitments to dignity, fairness, and responsibility.

- First, the entitlement-to-capability pipeline must be strengthened. Every right should be accompanied by accessible information, clear access points, survivor-sensitive procedures, and time-bound remedies. Simplified processes and legal literacy are essential to reduce the social and psychological costs of claiming rights.
- Second, institutional accountability should be treated as a core governance norm. Regular training, audits, and performance monitoring of implementing bodies can shift the focus from mere legal existence to institutional effectiveness. Accountability mechanisms should prioritise outcomes such as timeliness, protection from retaliation, and user trust.
- Third, IKS should be operationalised as civic ethics, not symbolism. Education, professional training, and public discourse can draw on justice-oriented interpretations of *dharma* and *nyaya* to reinforce norms of duty of care, non-violence, and institutional responsibility, consistent with constitutional values (Ministry of Education, 2020; Sen, 2009).
- Fourth, economic and social supports must be integrated with legal remedies. Livelihood access, shelter services, childcare support, and social security linkages reduce dependency and enable women to exercise rights without disproportionate risk.
- Finally, measurement and evaluation should focus on realised justice rather than formal compliance. Indicators such as access equity, quality of institutional response, and reduction in repeat harm



better reflect empowerment outcomes aligned with *nyaya* (UNDP, 2009).

8. Conclusion

Women's empowerment in India is increasingly being "revolutionised" through the interaction of law and social change. The most significant shift is the movement from welfare thinking to enforceable rights backed by institutional mechanisms: workplace committees, domestic violence remedies, strengthened property rights interpretations, maternity protections, and constitutional steps toward political representation.

This is also a paradigm shift in Indian Knowledge Systems, if IKS is read as a justice-centred ethical framework rather than as mere tradition. When *dharma* is understood as accountability, *nyaya* as institutional fairness, and *shakti* as agency, legal reforms become culturally resonant without compromising constitutional morality. The future of empowerment, therefore, lies not in choosing between "modern law" and "tradition," but in aligning institutions and social norms with a gender-just interpretation of India's deepest ethical commitments.

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