



## LEGISLATIVE PATHWAYS TO ECONOMIC EMPOWERMENT: THE ROLE OF LEGAL FRAMEWORKS IN ADVANCING WOMEN'S FINANCIAL INDEPENDENCE

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### RESEARCH ARTICLE



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**DOI:** <https://doi.org/10.70096/tssr.250302009>

### Abstract

The economic empowerment of women is not merely a gendered objective but a cornerstone for equitable and sustainable development. This paper scrutinizes the role of legal frameworks in enabling women's economic empowerment, with a focus on key legislative measures that directly influence women's economic opportunities. The analysis encompasses how these legal statutes mitigate entrenched barriers like discrimination, wage disparity, and restricted resource access. Through a critical examination of specific legal instruments and their societal impact, this paper provides a comprehensive assessment of the nexus between law and the economic upliftment of women, thereby contributing to the broader discourse on gender equality in economic participation and outcomes. This paper critically examines the indispensable role of legal frameworks in facilitating women's economic empowerment, with a primary focus on India and a comparative analysis with international examples. In India, legislative instruments such as the Maternity Benefit Act and the Equal Remuneration Act have made significant advances towards gender parity. However, these efforts are often undermined by challenges related to enforcement and persistent societal norms. In contrast, developed nations such as Sweden and Norway have successfully instituted comprehensive legal measures that substantially reduce gender disparities and enhance female economic participation. Despite these successes, even advanced economies like the United States struggle with inadequacies in maternity leave provisions and childcare support, which perpetuate gender-based economic imbalances. The paper also addresses the severe constraints faced by underdeveloped and developing Asian countries, such as Afghanistan, where the absence of effective legal frameworks and pervasive cultural barriers severely restrict women's economic opportunities. By drawing on these diverse contexts, the study emphasizes the critical need for robust and meticulously enforced legal reforms to achieve genuine economic empowerment for women. This, in turn, is essential for fostering equitable and sustainable development on a global scale.

**Keywords:** *Economic Empowerment, Women, Positive Discrimination, Gender Parity, Workplace Equity, Economic Opportunities, Discrimination, Women's Financial Independence, Affirmative Action*

### Introduction

The pursuit of women's economic empowerment is crucial for achieving both social justice and sustainable development, with legal frameworks playing a pivotal role. Internationally, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Beijing Platform for Action provide essential guidelines for promoting gender equality in economic participation. CEDAW, established by the United Nations in 1979, calls for the elimination of discrimination against women in all areas, including employment. The Beijing Platform for Action, adopted in 1995, further emphasizes the need for comprehensive legal reforms to improve women's economic opportunities.

In India, significant legislative measures include the Maternity Benefit Act of 1961 and the Equal Remuneration Act of 1976. The Maternity Benefit Act mandates paid maternity leave, while the Equal Remuneration Act seeks to eliminate wage disparities between men and women. The recent Women's Reservation Bill, proposing 33% reservation for women in legislative bodies, aims to enhance female representation in political decision-making and thereby support economic empowerment. Constitutionally, India supports these efforts through various provisions. Article 15(1) of the Fundamental Rights guarantees protection against discrimination based on sex, while Article 21 ensures the right to life and personal liberty, including an adequate standard of living. Directive Principles of State Policy (DPSPs), particularly Articles 39(a) and 42, mandate the state to ensure equal pay for equal work and to provide maternity benefits. Additionally, Article 51A(e) of the Fundamental Duties

requires citizens to respect women and promote gender equality. Despite these frameworks, practical challenges persist. The landmark case of *Nargesh Mirza v. Air India* (1981) exposed systemic discrimination in employment practices against female employees, highlighting the gap between legal provisions and their enforcement. Similarly, the Vishaka Guidelines, derived from the *Vishaka v. State of Rajasthan* (1997) case, addressed sexual harassment at the workplace, marking a significant judicial intervention.

Comparatively, developed nations such as Sweden and Norway have successfully implemented comprehensive legal measures that have significantly reduced gender disparities in economic participation. For instance, Sweden's policies on paid parental leave and subsidized childcare have contributed to high female labor force participation. Conversely, despite its advanced economy, the United States lags in providing comprehensive maternity leave and affordable childcare, resulting in persistent gender-based economic imbalances.

Underdeveloped and developing Asian countries, such as Afghanistan, face severe challenges due to inadequate legal protections and pervasive cultural barriers. The lack of robust legal frameworks in these regions exacerbates economic marginalization for women, highlighting a critical area for international and national policy interventions. While international and national legal frameworks provide a strong foundation for advancing women's economic empowerment, effective implementation remains a significant challenge. Bridging the gap between legislative intent and practical outcomes is essential for fostering an environment that genuinely supports women's economic advancement on a global scale.

### **Review of Literature**

The quest for women's economic empowerment in India is intricately linked to both constitutional mandates and evolving societal norms. The Indian Constitution, as articulated by Gautam Bhatia (2016), aims to eliminate discrimination and promote equality through Articles 15(1) and 16(2), which prohibit discrimination based on sex. This foundational perspective underscores the necessity of affirmative state action to empower women by granting rights and imposing responsibilities on others to support their advancement. Legislative frameworks in India have been critical in advancing women's economic empowerment, though significant challenges persist. Zainab Rahman (2017) in *Women and Society* critiques the ineffectiveness of laws addressing workplace harassment and gender discrimination, particularly in modern industries like IT. He emphasizes the need for improved training and skills for women to overcome employment barriers. Similarly, Sushma Sahay (2012) in *Women & Empowerment: Approaches and Strategies* outlines strategies such as skill development, mindset transformation, and vocational training as essential for economic empowerment.

Panigrahy and Nayak (2015) in *Economic Empowerment of Women* highlight the importance of financial support, self-help groups, and government schemes like the Indira Mahila Yojana and PMRY in promoting entrepreneurship. They note persistent challenges, such as unequal pay in agriculture and limited credit access. Kumar (2020), in *Women and Their Economic Rights – A Legal Paradigm*, identifies wage gaps and workplace discrimination as barriers, urging stronger legal enforcement to ensure economic justice. Judicial contributions to women's empowerment have also been significant. Gattaiyah (2017) and Bhora & Sreelatha (2016) emphasize the judiciary's role in addressing gender inequities and advocating for legal reforms. Hunt and Samman (2016) highlight the importance of addressing socio-economic constraints and creating inclusive growth pathways for women.

Gender-based violence remains a key challenge. UN Women (2022) emphasizes that violence against women restricts their ability to participate in economic and social activities, which perpetuates the cycle of inequality. India ranked 135th out of 146 countries in the Global Gender Gap Report 2022 published by the World Economic Forum, highlighting underrepresentation in leadership roles, lower wages, and limited access to resources.

In terms of workforce participation, World Bank (2021) data reveals that India's female labour force participation rate stands at a mere 20.3%. Furthermore, UNDP (2021) reports that women earn significantly less than men for the same roles, with rural women facing additional disadvantages due to illiteracy and limited vocational training opportunities.

Collectively, the literature highlights that while legislative frameworks and historical progress have laid the groundwork for women's empowerment, effective implementation remains a significant challenge. Bridging these gaps requires not only legal reforms but also a shift in societal attitudes to achieve true gender equality and economic advancement.

### **Legislative and Policy Frameworks for Women's Empowerment in India**

The pursuit of economic empowerment for women in India is deeply embedded in a complex legislative and policy framework designed to address gender disparities and promote equality. This framework encompasses constitutional provisions, statutory laws, and a range of women-specific policies aimed at enhancing women's financial independence and participation in the workforce. This comprehensive analysis integrates constitutional foundations with legislative measures and policies, illustrating how they collectively contribute to women's economic empowerment.

#### **Constitutional Foundations**

The Indian Constitution lays a robust foundation for gender equality and women's economic empowerment. Article 14 guarantees equality before the law and equal protection of the laws, ensuring that women are not subject to discriminatory practices. Article 15(1) prohibits discrimination on the grounds of sex, thereby addressing gender-based inequalities. Article 16(2) provides for equality of opportunity in public employment, reinforcing the right of women to access employment opportunities without

discrimination. Moreover, Article 21 safeguards the right to life and personal liberty, which implicitly supports the dignity and economic independence of women. These constitutional provisions form the bedrock upon which various legislative measures and policies are built, aiming to bridge the gaps between legal rights and practical implementation.

### **Legislative Measures**

**Equal Pay Legislation:** The Equal Remuneration Act, 1976, mandates equal pay for equal work, seeking to address gender-based wage disparities. Although this Act represents a significant step towards achieving pay equity, its impact has been limited by challenges in enforcement and persistent undervaluation of traditionally female-dominated occupations. Studies reveal that while wage gaps have narrowed, substantial disparities remain, necessitating more rigorous implementation and oversight.

**Anti-Discrimination Laws:** In India, despite various legislative efforts aimed at promoting gender equality in the workplace, women continue to face significant discrimination. A multitude of laws restrict women's employment in certain industries and roles, particularly those perceived as hazardous or morally inappropriate. For instance, more than 150 regulations restrict women's employment in areas such as petroleum generation, glass manufacturing, and alcohol service. These laws are often justified by outdated stereotypes and safety concerns, yet they effectively limit women's access to higher-paying and more secure jobs. The Factories Act, 1948, and state-specific regulations enforce restrictions on night shifts for women, impacting their ability to engage in various types of work, including factory operations and commercial establishments. While some states like Andhra Pradesh and Madhya Pradesh have eased restrictions, many others, including Bihar and Rajasthan, continue to impose stringent restrictions to work in factory at night. This inconsistent application of regulations across states results in unequal opportunities for women and perpetuates their economic marginalization. Additionally, moral policing and societal norms continue to impede women's employment in certain sectors. Laws prohibiting women from working in liquor establishments are based on outdated perceptions of morality and safety, rather than evidence-based assessments. Despite judicial rulings that have challenged these restrictions, legislative change has been slow, and women remain barred from many job opportunities due to these archaic laws.

The persistence of these discriminatory practices underscores the urgent need for more stringent implementation of legislative measures. While laws such as the Sexual Harassment of Women at Workplace Act, 2013, and the Equal Remuneration Act, 1976, aim to address workplace discrimination and ensure equal pay, their effectiveness is often compromised by inadequate enforcement and cultural biases. Comprehensive reforms and consistent application of progressive laws are essential to dismantle barriers to women's economic participation and ensure that legislative measures translate into tangible benefits for women in the workforce. Still, anti-discrimination statutes play a critical role in ensuring equal treatment of women in the workplace. The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013, introduced in response to the Vishaka v. State of Rajasthan (1997) judgment, provides legal recourse for women facing workplace harassment. This Act mandates the establishment of Internal Complaints Committees (ICCs) within workplaces to address grievances related to sexual harassment. By setting clear standards and procedures, the Act aims to prevent and address harassment effectively. However, challenges such as insufficient awareness, inconsistent implementation, and reluctance to report harassment continue to undermine its impact, revealing the need for more robust enforcement and cultural change. Legislative measures must be continually reviewed and updated to address emerging issues and adapt to changing social contexts. Effective implementation of laws, coupled with public awareness and supportive policies, is crucial to advancing gender equality and ensuring that women can fully participate in all sectors of employment without facing discrimination.

**Maternity and Parental Leave Policies:** In India, ensuring that maternity benefits extend to women in the unorganised sector has been a significant focus of policy reforms aimed at enhancing economic empowerment. A considerable number of women work in the unorganised sector, which includes agriculture, domestic work, and informal trades, and providing maternity benefits is crucial for their economic stability and overall well-being. Central Government Initiatives include the Unorganised Workers' Social Security Act, 2008, which is a landmark piece of legislation designed to offer social security benefits to workers in the unorganised sector. This Act incorporates maternity benefits, providing essential support such as cash transfers and medical assistance during maternity leave. Such provisions are vital for women who do not have formal employment contracts and thus lack access to traditional employee benefits. The Maternity Benefit Act, 1961, which was amended in 2017 to extend paid maternity leave from 12 to 26 weeks, is vital for supporting working mothers. This legislation helps balance work and family responsibilities, promoting women's continued participation in the workforce. However, disparities in leave benefits across sectors reveal ongoing inequalities that must be addressed to ensure comprehensive support for all working mothers. Another significant initiative is the Pradhan Mantri Matru Vandana Yojana (PMMVY), launched in 2017. This scheme provides financial support to pregnant and lactating women through cash transfers. The PMMVY is designed to offset income loss during maternity leave and to improve maternal and child health. By offering financial assistance, this scheme supports women across various sectors, including those in the unorganised sector, thereby contributing to their economic stability during a critical period.

Under the Central Government's maternity leave policies, female employees are entitled to 26 weeks of paid maternity leave. This policy is crucial for working mothers as it allows them to take time off to recover from childbirth and care for their newborns without facing financial hardship. In the State of West Bengal, female employees, including those on contractual agreements, are granted maternity leave for a maximum period of 180 days. Additionally, they are entitled to 720 days of child care leave to support them in managing their children's needs. In cases of abortion or miscarriage, female employees are entitled to 42

days of leave. These provisions ensure that women can manage their health and family responsibilities without losing their income or facing job insecurity. These legislative measures significantly contribute to women's economic empowerment by providing them with the financial security needed during maternity. By extending these benefits to the unorganised sector, the policies help reduce economic vulnerabilities associated with childbirth and care-giving, thus supporting women's ability to participate in the workforce effectively.

**Property and Inheritance Rights:** The Hindu Succession (Amendment) Act, 2005 granted daughters equal rights to inherit ancestral property, marking a significant shift in addressing gender biases in inheritance laws. This amendment, which rectified previous discriminatory provisions under Section 6 of the Hindu Succession Act, 1956, has contributed to women's financial independence. Nevertheless, cultural norms and legal ambiguities continue to impede the full realization of these rights. Section 6 of the Act, which now provides daughters with equal coparcenary rights in ancestral property, has sparked debate over its retrospective application. The Supreme Court's ruling in *Vineeta Sharma v. Rakesh Sharma (2020)* upheld the retrospective effect of the amendment, reinforcing daughters' rights to ancestral property regardless of when they were born.

### **Access to Financial Services**

Global advancements in financial inclusion have significantly improved access to financial services, yet disparities remain, especially when comparing the United States and India in terms of women's financial access. In the U.S., the *Equal Credit Opportunity Act (ECOA) of 1974* prohibits gender-based discrimination in credit access, ensuring women can equally participate in financial markets. As a result, women have been able to access loans, credit, and other financial services, leading to substantial progress in closing the gender gap in financial inclusion. In India, financial inclusion for women, especially in rural areas, continues to face challenges despite various initiatives. One such early initiative was the *Mahila Samridhi Yojana (MSY)*, launched in 1993. This scheme aimed to empower rural women by providing them access to savings and microcredit through post offices, encouraging economic self-reliance. Under MSY, rural women could open savings accounts, fostering a culture of saving and financial literacy. While the program laid a foundational step in promoting women's financial empowerment, its impact was somewhat limited by challenges in implementation, especially in deeply underserved rural areas.

Building on such early efforts, the *Pradhan Mantri Jan Dhan Yojana (PMJDY)*, launched in 2014, significantly expanded the scope of financial inclusion. The program's goal is to provide affordable banking services to all, particularly the unbanked population, with a focus on rural women. Many of the accounts opened under PMJDY belong to women, reflecting efforts to narrow the gender gap in financial services. These accounts have provided women with access to banking facilities, including savings, credit, and insurance, boosting their financial independence.

Additionally, the *Reserve Bank of India (RBI)* has introduced several gender-inclusive banking policies, such as the *Priority Sector Lending (PSL)* guidelines, which mandate that banks allocate a certain portion of lending to sectors benefiting women. Despite these advancements, women in India, especially in rural and remote areas, still face significant hurdles in accessing banking services due to limited infrastructure, low levels of financial literacy, and social constraints.

In contrast, women in the U.S. benefit from stronger institutional support, comprehensive regulatory frameworks, and widespread financial literacy programs, which have contributed to more equitable financial inclusion. The U.S. financial system has made steady progress in ensuring that women are no longer disproportionately disadvantaged when accessing financial services. While legislative and policy measures in both countries have laid the groundwork for improving women's access to financial services, much more remains to be done, particularly in India. Addressing systemic barriers through expanded rural banking infrastructure, targeted financial literacy campaigns for women, and reforms in credit access are critical to achieving meaningful financial empowerment. Only through sustained efforts can true gender parity in financial inclusion be realized.

### **Access to Education**

In India, education is a key tool for women's empowerment. The *Right to Education (RTE) Act, 2009* mandates free and compulsory education for children aged 6 to 14, significantly improving girls' access to education. This law has played a pivotal role in reducing gender disparities, particularly in rural and underprivileged areas.<sup>16</sup> Furthermore, the *Kasturba Gandhi Balika Vidyalaya (KGBV) Scheme*, launched in 2004, has been crucial in promoting girls' education, especially for those from marginalized communities. This scheme establishes residential schools for girls from disadvantaged backgrounds, offering education from Class 6 to 12. By focusing on access to quality education, KGBV ensures that girls from economically weaker sections are equipped with the knowledge and skills necessary to improve their social and economic conditions. Both RTE and KGBV have been instrumental in breaking traditional gender roles, fostering a generation of educated women who are better positioned to contribute to India's workforce, leadership, and society at large.

### **Corporate Leadership and Entrepreneurship**

Developed countries like the United States have long established frameworks to support women's leadership in business and entrepreneurship. The *Women's Business Ownership Act of 1988* and the *Small Business Administration's Women-Owned Small Business (WOSB) Program* have been pivotal in reducing barriers to credit and financial resources for women, significantly boosting female entrepreneurship and corporate participation. These policies have enabled women in the U.S. to play a leading role in business, helping to bridge the gender gap in corporate governance and ownership. While the U.S. has a head start in institutionalizing support for women's empowerment in business, India is rapidly narrowing the gap. With the introduction of

Section 149(1) of the Companies Act, 2013, mandating that every listed company must have at least one woman on its board of directors, India has taken significant steps toward ensuring women's representation in corporate leadership. This provision has encouraged greater female participation at the highest levels of decision-making, challenging the traditional male-dominated corporate environment and fostering more inclusive governance.

Moreover, India's growing focus on women entrepreneurs, aided by initiatives like *Startup India* and *Stand-Up India*, highlights the country's commitment to empowering women economically. These measures have opened doors for women to start and grow businesses, contributing to India's economic development.

In this context, India is steadily proving that it is not far behind developed nations in promoting gender equality in corporate leadership and entrepreneurship. Both India and the U.S. are working toward building environments that empower women to lead, innovate, and contribute to sustainable economic growth, demonstrating that gender-inclusive leadership is key to a nation's overall progress.

### **Adherence to International Legal Frameworks**

India has committed to securing women's rights by ratifying several pivotal international conventions, including the *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)* in 1993. The country has also endorsed significant global frameworks such as the *Mexico Plan of Action (1975)*, *Nairobi Forward-looking Strategies (1985)*, *Beijing Declaration and Platform for Action (1995)*, and the UNGA's *Outcome Document on Gender Equality* to advance gender equality and women's empowerment through comprehensive follow-up actions.

### **Progressive Policies for Gender Equality and Women's Empowerment**

India's commitment to gender equality is deeply embedded in its constitutional framework, which enshrines the principle of equality across the Preamble, Fundamental Rights, Fundamental Duties, and Directive Principles. This legal foundation not only guarantees equal rights for women but also empowers the State to adopt measures of positive discrimination in their favor. Since the Fifth Five Year Plan (1974- 78), there has been a marked shift in the approach to women's issues from a welfare perspective to a development-focused strategy. Recent plans and policies have increasingly recognized women's empowerment as central to improving their status and advancing their rights.

India's Five Year Plans have historically been instrumental in shaping the country's approach to women's empowerment. Early plans focused on basic education and health improvements for women, while successive plans have progressively integrated gender-focused initiatives aimed at economic empowerment and social upliftment. For instance, the Tenth Five Year Plan (2002-2007) emphasized gender equality through programs designed to enhance women's access to education, health, and employment opportunities. The Eleventh Plan (2007-2012) furthered these efforts by introducing specific schemes for women's economic independence and empowerment.

Nationally, a range of policies has been implemented to enhance women's economic empowerment. The Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) provides employment opportunities and income security to rural women, thereby promoting financial independence.<sup>23</sup> The Pradhan Mantri Mudra Yojana (PMMY) offers micro-financing to women entrepreneurs, facilitating access to capital for small businesses. The Stand Up India Scheme supports women and marginalized communities in starting and running their own businesses.

At the state level, West Bengal has introduced several targeted policies to further women's empowerment. The Kanyashree Prakalpa scheme, launched in 2013, provides financial assistance to girls to support their education and delay marriage, thereby promoting higher educational attainment and improved life opportunities. The Lakshmir Bhandar scheme offers direct financial support to all women aged 25 and above who are not employed in government services, enhancing their economic stability.<sup>27</sup> Additionally, various Siksha Sahayak program supports female students and improves access to education in rural and underserved areas.

The Millennium Development Goals (MDGs), particularly Goal 3 and target 3.A, focused on promoting gender equality and empowering women by addressing disparities in education. These goals set a precedent for global and national efforts towards gender parity. Building on this momentum, the Sustainable Development Goals (SDGs), especially Goal 5, aim to achieve gender equality and empower all women and girls. SDG 5 encompasses targets such as ending violence against women, ensuring equal participation in leadership roles, and guaranteeing women's full access to reproductive health and rights. These goals provide a comprehensive framework for guiding both international and national policies.

India has aligned its national policies with these global commitments through various legislative and developmental measures. The National Commission for Women (NCW), established in 1992 under the National Commission for Women Act, 1990, plays a crucial role in safeguarding women's rights and legal entitlements. The 73rd and 74th Constitutional Amendments of 1993 significantly bolstered women's participation in local governance by reserving seats for women in Panchayats and Municipalities, thereby fostering their involvement in decision-making processes.

The Ministry of Women and Child Development (MWCD) has also implemented several schemes to further women's empowerment. The One Stop Centre and Universalization of Women Helplines provide integrated services and emergency support to women affected by violence. The Swadhar Greh Scheme offers institutional support for the rehabilitation of women

in difficult circumstances, while the Ujjawala Scheme focuses on the prevention of trafficking and the rescue, rehabilitation, and reintegration of trafficking victims. The Working Women Hostel Scheme provides safe accommodation and day-care facilities for working women. The Beti Bachao Beti Padhao (BBBP) scheme aims to improve the Child Sex Ratio and empower girls through education and protection. The Mahila Shakti Kendra (MSK) empowers rural women through community participation and inter-sectoral convergence of schemes, and the Pradhan Mantri Matru Vandana Yojana (PMMVY) offers conditional cash transfers to pregnant and lactating mothers to support maternity needs.

The recently launched Mission Shakti is an umbrella scheme designed to strengthen safety, security, and empowerment interventions for women. It aims for women-led development through a convergence of efforts across ministries, local governance, and digital infrastructure for service delivery.<sup>32</sup> Indian policymakers have played a pivotal role in integrating gender equality into national development plans, ensuring that policies align with global frameworks such as the MDGs and SDGs. These efforts reflect India's commitment to advancing gender equality and ensuring that women's contributions and perspectives are central to the country's development. Through these comprehensive legislative and policy frameworks, India continues to work towards achieving gender parity and empowering women across all spheres of life.

### **Impact**

Legislative pathways play a pivotal role in advancing women's financial independence by creating an enabling environment through legal frameworks. These frameworks provide essential legal protection, ensuring that women receive equal treatment in the workplace and society, which is fundamental to achieving economic empowerment. Laws promoting gender equality, such as equal pay legislation and anti-discrimination policies, reduce systemic bias and empower women to pursue education, employment, and entrepreneurship. Additionally, legal provisions that grant women access to financial resources, property rights, and inheritance are crucial for building wealth and securing financial independence. In regions where such laws are effectively implemented, women are more likely to engage in entrepreneurship and contribute to economic growth. Moreover, maternity protections and workplace rights, including maternity leave and safeguards against workplace harassment, are critical for allowing women to balance careers and family responsibilities without jeopardizing their financial stability. Legal measures ensuring women's representation in decision-making bodies, such as corporate boards and political institutions, further bolster economic empowerment by enabling women to advocate for policies that support gender equality and broaden economic opportunities. Legislative efforts to address gender-based violence are equally important, as violence and exploitation undermine women's ability to work and achieve financial independence. Laws providing legal recourse and support services empower women to escape abusive situations and rebuild their lives.

India's development journey is intricately linked with the empowerment of its women, a connection that has been emphasized over the past nine years by placing Nari Shakti at the forefront of national priorities. Recognizing that women's empowerment requires a comprehensive approach addressing their needs throughout their lives, legislative measures and governmental policies have been introduced to support women at various stages, enabling them to overcome socio-economic barriers and achieve holistic empowerment. For example, the passage of the Nari Shakti Adhinyam, which grants 33% reservation to women in the Lok Sabha, State Legislative Assemblies, and the Delhi Assembly, represents a significant legislative step toward ensuring women's representation in decision-making processes. This aligns with broader efforts to promote gender equality and underscores the importance of women's leadership in shaping the nation's future.

India has also seen legislative and policy measures leading to improvements in the National Sex Ratio, which reached 1020 females per 1000 males for the first time, reflecting the positive impact of initiatives like Beti Bachao, Beti Padhao. This scheme has diligently worked to combat gender discrimination and promote the value of the girl child, leading to a commendable rise in the sex ratio at birth and increased enrollment of girls in secondary education.

In the realm of motherhood and child welfare, paid maternity leave has been extended from 12 weeks to 26 weeks, recognizing the importance of allowing new mothers sufficient time to recover from childbirth and bond with their infants. Additionally, measures like the PM Surakshit Matritva Abhiyan have facilitated better maternal health outcomes. Initiatives like POSHAN Abhiyaan and the Jal Jeevan Mission have further contributed to the well-being of women by addressing malnutrition and providing access to clean drinking water.

Economic empowerment has been a key focus of these legislative pathways, with over 69% of loans under the Pradhan Mantri Mudra Yojana (PMMY) and 84% under Stand-Up India being sanctioned to women entrepreneurs. These measures, along with the introduction of the Mahila Samman Savings Certificate, have enabled women to gain financial independence and contribute to the nation's economic growth. The Pradhan Mantri Awas Yojana - Gramin (PMAY-G) has further empowered women by ensuring that more than 72% of houses are either solely or jointly owned by them, fostering secure housing and financial decision-making.

The abolition of Triple Talaq through the Muslim Women (Protection of Rights on Marriage) Act, 2019, has been a landmark legislative reform, providing legal protection to Muslim women and enabling them to escape domestic violence and discrimination. The emphasis on women's safety and security is also evident in the Mission Shakti initiative, which integrates services like police, medical, and legal aid to support women affected by violence. As these legal frameworks and policies take root, they often lead to shifts in social norms and cultural attitudes, promoting greater acceptance of women as economic contributors. This cultural shift, in turn, enhances a country's global competitiveness and supports sustainable economic growth.

However, challenges remain in the implementation and enforcement of these laws, particularly in regions where cultural barriers and inadequate legal infrastructure persist. Continuous advocacy, awareness, and capacity-building are essential to ensuring that these laws and policies translate into tangible benefits for women.

While legislative pathways and governmental policies significantly advance women's financial independence, their effectiveness depends on robust implementation and societal acceptance. The shift from women as recipients of welfare to agents of empowerment signifies a transformation in the narrative, leading to women-led development across various sectors, including education, health, housing, entrepreneurship, and safety. The achievements of women in STEM fields, sports, and other areas further highlight the success of these initiatives, demonstrating that the empowerment of women is essential for the nation's development.

### **Challenges and Areas for Reform**

Despite the significant strides made through legislative measures and governmental policies aimed at advancing women's financial independence, several challenges persist. One of the primary issues is the uneven implementation and enforcement of these laws across different regions, especially in rural and underserved areas. Cultural and societal norms often impede the effective application of legal frameworks, leading to a discrepancy between policy intent and actual outcomes. For instance, while legislation like the Nari Shakti Adhinyam aims to enhance women's representation in political and decision-making spheres, entrenched patriarchal attitudes can undermine these efforts, limiting women's participation and influence. Moreover, legal provisions addressing gender-based violence and workplace harassment face challenges in ensuring timely and effective redressal. Victims often encounter bureaucratic hurdles and social stigma, which deter them from seeking justice and support. Additionally, while economic empowerment initiatives like the Pradhan Mantri Mudra Yojana and Stand-Up India provide financial assistance to women entrepreneurs, access to these resources remains uneven, with many women facing barriers related to financial literacy, lack of collateral, and limited access to banking services.

Another area requiring reform is the integration of gender-sensitive approaches in all aspects of policy-making. Policies must be continuously evaluated and updated to address emerging challenges and ensure they remain relevant in a dynamic socio-economic landscape. For instance, the extension of maternity leave is a commendable step, yet it must be accompanied by measures that address workplace discrimination and support women's career progression. So, the challenges remain in the pursuit of genuine economic empowerment for women are:

- 1. Enforcement and Compliance:** Effective implementation of laws remains a formidable challenge. Weak regulatory oversight, coupled with inadequate resources for enforcement agencies, often dilutes the impact of progressive legal provisions.
- 2. Cultural and Societal Barriers:** Entrenched cultural norms and patriarchal attitudes continue to hinder the realization of legal rights. Legal reforms must be accompanied by societal change initiatives, including awareness campaigns and educational programs, to address these deeply rooted barriers.
- 3. Intersectionality:** Women from marginalized communities, including those facing caste, ethnic, or disability-related discrimination, encounter compounded barriers to economic empowerment. Intersectional legal approaches are required to ensure inclusivity and equity for all women.
- 4. Economic Disparities:** Persistent gender-based economic disparities, such as wage gaps and employment segregation, highlight the need for continuous legislative innovation and targeted interventions to address these systemic issues.

### **Conclusion**

Legal frameworks play a pivotal role in advancing women's economic empowerment by dismantling structural barriers and fostering equitable opportunities. Legislative provisions such as equal pay laws, anti-discrimination measures, and extended maternity leave have significantly enhanced women's economic participation and outcomes. For example, Section 149(1) of the Companies Act in India mandates that at least one woman director must be appointed to the boards of listed companies, illustrating a commitment to integrating women into economic leadership roles. Additionally, reservations for women in grassroots institutions like Panchayats and Municipalities, and in the Lok Sabha, reflect a broader effort to include women from local to national levels. Despite these advancements, challenges persist. The absence of specific reservations for women in the Rajya Sabha (Upper House of Parliament) is a notable gap, as this lack of representation could undermine comprehensive women's influence in higher legislative bodies. The Rajya Sabha plays a crucial role in shaping national policies and laws, and without adequate female representation, the formulation of policies may not fully reflect the diverse perspectives and needs of women.

Developed countries like Sweden and Norway have made substantial progress with robust gender equality measures but still grapple with issues such as the gender pay gap and the underrepresentation of women in senior corporate roles. These countries can further advance women's economic empowerment by enhancing policies that promote equal opportunities in leadership positions. Conversely, underdeveloped countries face more severe challenges, including inadequate legal infrastructure and pervasive cultural biases. For instance, restrictive social norms and limited access to education and employment in countries like Afghanistan hinder women's economic participation. Addressing these barriers through strengthened legal frameworks, educational opportunities, and economic inclusion initiatives is critical for overcoming these obstacles.

To fully realize the potential of legal frameworks, they must be dynamic and responsive to evolving challenges. This involves not only enhancing legal accountability but also fostering cultural transformation and inclusivity. A holistic approach is essential – one that integrates legal reforms with efforts to shift societal norms, creating an environment where women can fully exercise their potential.

Expanding reservations to include the Rajya Sabha and other high-level legislative bodies could address existing gaps and promote more balanced and equitable policy formulation. By addressing these gaps and extending legislative measures, societies can create a more equitable environment where women's contributions are fully recognized and valued, ensuring that the pursuit of gender parity translates into tangible, long-term benefits for all.

To ensure the economic empowerment of women, it is imperative that legal frameworks address representation across all spheres of life, from low-level jobs and work to high-profile economic engagements and policy-making roles. Achieving comprehensive representation ensures that women's contributions and perspectives are integrated into every aspect of economic and political life.

India, while lagging behind developed nations in terms of gender parity and economic empowerment, fares comparatively well when assessed against other Asian countries and developing nations. This relative positioning underscores the need for continued reforms and initiatives to bridge the gap and elevate India's standing to a level that aligns more closely with global benchmarks for gender equality and economic participation. By fostering an inclusive environment through robust legal measures and cultural shifts, India can enhance women's representation and ensure their equitable engagement in all sectors.

Ultimately, advancing women's economic empowerment through law is a complex but crucial endeavor that requires a holistic approach—one that harmonizes legal reforms with societal change. By addressing existing gaps and expanding the scope of legislative measures, societies can create a more equitable environment where women's contributions are fully recognized and valued. This comprehensive approach will ensure that the pursuit of gender parity translates into tangible, long-term benefits for all, fostering a more inclusive and sustainable future.

## **Recommendations**

### **1. Strengthen Implementation and Enforcement Mechanisms**

One of the major gaps in existing legislative measures is the inconsistent implementation and enforcement across regions. To overcome this, governments should establish robust monitoring and evaluation mechanisms that ensure laws are not just enacted but effectively enforced at the grassroots level. This can be achieved by creating independent bodies with the authority to oversee implementation, conduct audits, and hold accountable those responsible for non-compliance.

### **2. Enhance Awareness and Legal Literacy**

A significant barrier to the effectiveness of women-centric laws is the lack of awareness among women about their rights. To address this, governments, NGOs, and civil society organizations should intensify efforts to educate women, particularly in rural and marginalized communities, about their legal rights and entitlements. Legal literacy programs should be integrated into community development initiatives, ensuring that women can advocate for themselves and seek legal recourse when necessary.

### **3. Strengthen Legal Protections Against Workplace Discrimination**

Despite existing anti-discrimination laws, women continue to face biases in hiring, promotions, and pay. To ensure greater security and economic empowerment, legislation must be updated to include stricter penalties for workplace discrimination. This should also involve mandatory training for employers and employees on gender sensitivity and diversity, along with the establishment of dedicated bodies to monitor compliance and address grievances efficiently.

### **4. Enhance Legal Safeguards for Property and Inheritance Rights**

Property ownership is a key factor in financial independence, yet women often face significant challenges in asserting their rights to property and inheritance due to deep-rooted societal and familial biases. To provide more security, existing laws should be reinforced with clearer, more stringent provisions that not only protect but also mandate equal property rights for women. These laws should bind parents and relatives to ensure women receive their rightful inheritance, regardless of traditional or cultural objections. Additionally, simplifying legal processes and providing accessible legal aid can further empower women to claim and protect their assets, contributing to their economic stability. Alongside legislative measures, efforts must also focus on changing societal attitudes, emphasizing the importance of gender equality in property rights through education and awareness campaigns.

### **5. Introduce Robust Social Security Legislation**

Economic empowerment is closely linked to social security, particularly for women in vulnerable sectors. Legislating comprehensive social security benefits, including pension schemes, health insurance, and unemployment benefits specifically tailored to women, can provide a safety net that protects them from economic shocks. Special provisions should be made for women in the informal sector, ensuring they are not excluded from these critical protections.

### **6. Mandate Secure and Equal Access to Financial Services**

Access to financial services, such as credit and banking, is essential for women's economic empowerment. Legislation should mandate that financial institutions provide equal and secure access to financial products for women, including microfinance options. Legal frameworks should also require banks to implement gender-sensitive policies, such as lower collateral requirements for women borrowers, ensuring that financial services are more accessible and secure for women entrepreneurs and business owners.

#### **7. Enforce Comprehensive Maternity and Parental Leave Laws**

To promote economic security, it is crucial to legislate robust maternity and parental leave policies. These laws should cover all sectors, including informal and contractual work, ensuring that women do not have to choose between their careers and family responsibilities. Secure job retention policies during and after maternity leave should also be enforced, alongside protections against dismissal or discrimination due to pregnancy or motherhood.

#### **8. Incorporate Women's Voices in Policy-Making**

Economic empowerment is intrinsically linked to women's participation in decision-making processes. To secure this, legislation should mandate gender quotas in corporate boards, political offices, and other decision-making bodies. These legal provisions should be backed by enforcement mechanisms that ensure compliance, thereby securing women's voices in areas that directly impact their economic status and opportunities.

#### **9. Address Intersectional Inequalities**

Current legislative measures often fail to account for the intersecting forms of discrimination faced by women, particularly those from marginalized communities such as Scheduled Castes, Scheduled Tribes, and minority groups. To bridge this gap, laws and policies should be reformed to explicitly address intersectional inequalities, ensuring that the most vulnerable women receive targeted support and protection. This could involve affirmative action policies and tailored welfare programs.

#### **10. Promote Gender-Responsive Budgeting**

One critical lacuna is the inadequate allocation of resources for the effective implementation of women-centric laws and programs. Governments should adopt gender-responsive budgeting practices, ensuring that sufficient funds are allocated to initiatives that promote women's economic empowerment. Regular audits and evaluations of budgetary allocations should be conducted to assess their impact and reallocate resources where necessary.

#### **11. Strengthen Workplace Protections and Benefits**

Although legislative measures exist to protect women in the workplace, there are still gaps in ensuring safe and equitable work environments. To address this, governments should mandate comprehensive workplace protections, including policies on harassment, discrimination, and maternity benefits. Regular inspections and stricter penalties for non-compliance can ensure that workplaces adhere to these standards, thereby promoting a safe and supportive environment for women to thrive economically.

#### **12. Foster Public-Private Partnerships for Women's Empowerment**

Finally, there is a gap in leveraging the potential of public-private partnerships to drive women's economic empowerment. Governments should collaborate with the private sector to create initiatives that support women entrepreneurs, provide mentorship and training, and promote gender diversity in corporate leadership. Such partnerships can bring in additional resources, innovation, and expertise, enhancing the impact of legislative measures and creating more opportunities for women in the economy.

**Acknowledgment:** No

**Author's Contribution:** *Dr. Ananya Ghosal:* Data Collection, Literature Review, Methodology, Analysis, Drafting, Referencing & *Shahina Shams:* Data Collection, Literature Review, Methodology, Analysis, Drafting, Referencing

**Funding:** No

**Declaration:** This Article is based on Ph.D. thesis titled "Role of Law on Economic Empowerment of Women in India: A Study"

**Competing Interest:** No

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*The Social Science Review A Multidisciplinary Journal* remains neutral with regard to jurisdictional claims in published data, map and institutional affiliations.

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