

Pankhi Devi (2026). Implementation of Indian Knowledge System in Contemporary Legal Education an Analytical Study on The Indian Feminine Jurisprudence in Elevating the Legal Education in Future. International Journal of Multidisciplinary Research & Reviews, 5(6),138-159.



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**IMPLEMENTATION OF INDIAN KNOWLEDGE SYSTEM IN
CONTEMPORARY LEGAL EDUCATION
AN ANALYTICAL STUDY
on
THE INDIAN FEMININE JURISPRUDENCE IN ELEVATING THE
LEGAL EDUCATION IN FUTURE**

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<i>Keywords</i>	<i>Abstract</i>
<i>Women's Education, Empowerment, Feminist Jurisprudence, Legal Education, Inclusiveness</i>	Education is the transmission of knowledge, skills, and character traits and manifests in various forms. Law is important to society because it serves as a set of norms of conduct for its citizens. Legal education serves society at large by imparting general and cultural education to law students, making them good, law-abiding citizens. The purpose of legal education was to pass on the cultural legacy to future generations. Feminist jurisprudence is a legal philosophy grounded in gender equality across politics, economics, and society. Gender equality and access to schooling are included in the education of women. For the purpose of reducing poverty, women's education is crucial. Women who have received an education will have the



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skills, knowledge and confidence to make responsible mothers, workers and voters. This paper investigates whether the amendment legislation meets the needs of Indian women and whether it is free of patriarchal morals and values. The concept of liberal feminism is emphasised in this paper by granting women the same legal and political rights as men. Women are better equipped to assume leadership roles in every social, economic, political, and legal field, and only with confidence can they create campaigns to fight against discrimination and violence.

INTRODUCTION

The Indian Knowledge System is based on a holistic approach that integrates different aspects of human life, comprising Jnan, Vignan, and Jeevan Darshan, which have evolved from involvement, pronouncement, observation, trial or experimentation, and rigorous analysis. Lord Krishna tells Arjuna that knowledge is the great purifier and liberator of the self. The Indian knowledge system is rich and diverse, encompassing philosophy, science, mathematics, astronomy, medicine, literature, and more. It is rooted in ancient texts such as the Vedas, Upanishads, Puranas, and the epics Ramayana and Mahabharata. The main objective of drawing from our past and integrating the Indian Knowledge Systems is to ensure that our ancient systems of knowledge, represented by an unbroken tradition of knowledge transmission, and providing a unique perspective, are used to solve the current and emerging challenges of India and the world. The portrayal of Hindu women in the Manusmriti is considered to be based on the values of love, honour, and the dignity of women, an essential social element in both secular and religious contexts. It has been opined that the Manusmriti.¹ It is a complex commentary from¹ a women's rights perspective. So, the portrayal of women and their general status within the precincts of Manusmriti creates contradictions and lacks coherence in certain respects. Manusmriti, in the opinion of Dr BR Ambedkar, is the greatest offence against justice, equality, and humanity.

Key Aspects Of The Indian Knowledge System :

1. *Philosophy*: Indian philosophy is known for its diverse schools of thought, such as Vedanta, Samkhya, Yoga, Nyaya, Vaisheshika, and Mimamsa. These schools explore fundamental questions about the nature of reality, consciousness, ethics, and the self.
2. *Science and Mathematics*: Ancient Indian scholars made significant contributions to mathematics, including the invention of the decimal system, the concept of zero, algebra, and trigonometry. Aryabhata, Brahmagupta, and Bhaskara are notable mathematicians and astronomers from ancient India.
3. *Medicine*: Ayurveda is the traditional system of medicine in India, which emphasises a holistic

¹ G.Buhler' The Laws of Manu' Library of Australia



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approach to health and well-being. Ayurvedic texts provide detailed knowledge about various herbs, minerals, and treatments for different ailments.

4. *Arts and Literature*: Indian literature is vast and diverse, with works in multiple languages like Sanskrit, Tamil, Telugu, and others. The epics Ramayana and Mahabharata, as well as classical texts such as the works of Kalidasa and the plays of Bhasa, are highly regarded in the Indian literary tradition.

5. *Spirituality and Yoga*: India has a long tradition of spiritual practices and disciplines, such as yoga and meditation. These practices aim to cultivate inner peace, self-awareness, and connection to a higher consciousness.

Overall, the Indian knowledge system emphasises the purity of mind, body, and spirit. Distinction is made between 'jnana' and 'vijñana', the knowledge of facts of the perceptible world. The first kind of knowledge is observational and is gained by the eyes, etc., the other is experiential and is gained by the inner self as 'drasta'.²

INDIAN KNOWLEDGE SYSTEM IN CONTEMPORARY LEGAL EDUCATION IN WOMEN

The Constitution of India³ gives equal treatment to women and men in India. But due to a lack of legal awareness, most of the women are socially backwards due to a lack of resources. So legal awareness among women is very important to recognise their rights, promote legal empowerment, ensure justice, safeguard rights, and make them aware of their rights and entitlements. The main aim is to attain gender equality, and it can only be accomplished by empowering women at every social, economic, political, and legal level, so that they can live healthy, competent lives, fight injustice, violence, and exploitation, and, with confidence, face any problems.

Need For Legal Literacy In Women:-

The main reason for all the ill practices faced by women in society is due to

1. Illiteracy
2. Economic dependence
3. Caste restraints
4. Religious prohibition
5. Lack of leadership qualities

Legal literacy is the only tool that can play a crucial role in women's empowerment by making them

² Prof.Dr.Jai.Paul Dudeja 'Chakras healing kundalini awakening'2021

³ M.P Jain'Indian Constitutional Law'Lexisnexis,7th edition,2014



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legally aware and educated. Only education can help people overcome different hurdles and difficulties in life. It can help women understand the current and crucial facets of life by allowing them to raise their voice against the injustice and violence against them.

Here are some key aspects of women's participation and impact in legal education:

1. Increased Enrollment: There has been a significant increase in the enrollment of women in law schools and legal education programs around the world. This has led to a more diverse student body and workforce within the legal profession.
2. Women in Leadership Roles:- Women are increasingly taking on leadership roles in legal education institutions, such as deans, professors, and administrators. This representation is important for providing role models and mentors for aspiring female lawyers.
3. Gender Equality Curriculum:- Many law schools now offer courses and programs that focus on gender equality, women's rights, and feminist legal theory. These courses help raise awareness about gender issues and empower students to advocate for gender justice.
4. Support Networks:- Legal education institutions are establishing support networks and resources for female students, including mentorship programs, women's legal associations, and career development initiatives. These networks help address the unique challenges that women may face in the legal profession.
5. Research and Scholarship:- Women scholars in legal education are making significant contributions to research and scholarship on gender, law, and social justice issues.
6. Advocacy and Activism:- Women in legal education are actively engaged in advocacy and activism on gender equality and women's rights issues. They use their legal expertise to promote social change, challenge discriminatory laws and practices, and empower marginalised communities.
7. Intersectionality:- Contemporary legal education also focuses on intersectionality, recognising that gender intersects with other aspects of identity such as race, class, sexuality, and disability. This intersectional approach helps address the unique challenges faced by women with diverse backgrounds and experiences.

Overall, women's participation in contemporary legal education is crucial for promoting gender equality, advancing women's rights, and creating a more inclusive and diverse legal profession. By empowering women in legal education, we can work towards a more just and equitable society for all. As early as 1953, Lotika Sarkar, India's first woman to study and graduate from Cambridge University (PhD 1951), joined the University of Delhi's Law Faculty as the first female lecturer. And well after her long career as a law professor (1953-83), she was celebrated as an eminent jurist and a central figure in the women's rights movement.



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RESEARCH METHODOLOGY

This paper is primarily descriptive and analytical. In this paper, an attempt has been made to analyse women's education in India. The research study identifies disparities in the factors affecting women's legal education and offers recommendations. Hence, a proper research method has been selected to enhance the outcome: aggregating textbooks, thesis papers, articles, academic journals, and the internet as secondary sources.

NEED AND SIGNIFICANCE OF THE STUDY

By promoting women's education, India is also achieving a higher literacy rate very quickly. This, on the other hand, will impressively help our country to progress in all aspects. The need for girls' empowerment arose because of gender discrimination and male domination in Indian society. To have a bright destiny in one's own family, society, and country, the empowerment of Women is vital. A country can only develop if its women are educated. Educated women can play an important role in their families' development. Educated women are less likely to get married at an early age. Educated women can contribute to the economic development of their countries. Educated women can raise awareness about various social issues. Educated women can act as role models for the younger generation.

OBJECTIVES OF THE STUDY

The following are the unique goals

- ❖ To know the forms of Education of Women in India during ancient times
- ❖ To analyse Women's Rights, Legal Protection of Women in the Indian Constitution.
- ❖ To know the role of NGOs in women's empowerment.
- ❖ To recognise the Government Schemes and Programmes for Women's Empowerment.
- ❖ To discover how Education has helped women's empowerment.
- ❖ To review how Indian society is changing via Women's Empowerment in the 21st century

Women in Hinduism.

Hinduism is the only religion that recognises and worships God as feminine. In fact, Hinduism is the only major religion that has always worshipped God in female form and continues to do so today. Many Hindus revere God's energy, or Shakti, through its personification in a Goddess. Many festivals, such as Vasant Panchami, Navarātri, and Dusseherā, are wholly dedicated to the Goddesses, Female and Male, as Two Halves⁴. Hindu scriptures teach that every human is made up

⁴ David Kinskey, 'Hindu Goddess', 'Vision of the divine feminine in the hindu religious tradition, 2004



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of varying degrees of both feminine and masculine traits by highlighting their differences in nature, through the spiritual sameness of male and female deities.

Significance of 64 Kalas (Arts) in a woman

In ancient India, the number 64 holds significance.⁵ Lord Krishna, in relation to women, says that the first education a woman can receive is from her mother. Home is the place for primary education that can be bought and built up in oneself.

In the Kama Sutra, Vatsayana states:

“A public woman, endowed with a good disposition, beauty and other winning qualities, and also versed in the above arts, obtains the name of a Ganika, or public woman of high quality, and receives a seat of honour in an assemblage of men. She is, moreover, always respected by the king, and praised by learned men, and her favour being sought for by all, she becomes an object of universal regard”⁶.

If a wife becomes separated from her husband and falls into distress, she can support herself easily, even in a foreign country, by means of her knowledge of these arts.

Goddess in Worship

Among the four main deity traditions still followed today, Ganapatya, Vaishnava, Shaiva, and Shakta, the feminine divine plays a central role. The Shakta tradition exclusively worships the feminine divine as Shakti, the Divine Mother. God as a Mother Goddess is responsible for the well-being of the Universe,

The Disconnect Between Philosophy and Reality

Women in India have been suffering for ages. Hindu scriptures treat women as a commodity and equate them to animals. Even a Brahmin woman is like a Shudra as per the Hindu scriptures. Hinduism deprives women of their basic rights. In Hinduism, only the wife has to fast during Karvachauth, not the husband. The wife has to wear a Mangalsutra and apply Sindoor to signify that ‘She is the property of others’ just like a board is set up in an open land stating its owner, but the husband has no such thing to wear. If the girl is born in inauspicious months, then she is termed Manglik, and per this superstition, the husband of such a girl dies soon, so she is made to marry a peepul tree or a dog. As per Hindu scripture, the wife either has to lead a life of celibacy after the death of her husband or mount her husband’s pyre; on the other hand, there is no such option for husbands. The husband is free to marry another wife after his wife's death and can marry many wives even while his wife is alive. Only the son can light the funeral pyre of his parents, while the daughter is barred from it. Hindu culture is a male-dominated culture; women in Hindu society have been

⁵ Mr Ashish Mohan Khokar ‘what is the significance of 64 kalas in a woman?,medtalks,www.youtube.com/@Medtalks.

⁶ Vatsyayana, ‘Kamasutra’ narrated by Tanya Franks www.Audible.Inc.in



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submissive, while men are aggressive.⁷

- Garuda Purana 10.42 "When a woman burns her body with her husband's, the fire burns her limbs only, but does not afflict her soul"
- Brahma Purana 10.75 "Dying immediately after the husband is the greatest duty of women. This is the path laid down in the Vedas. The woman who follows her husband shall stay in heaven for as many years as there are hairs in a man's body, viz., three and a half crores of years."
- Parasara Smriti 4.28 "A widow, who immolates herself on the same funeral pile with her deceased husband, resides in heaven for ten million years, which is the number of hairs on the human body."
- Srimad Bhagavatam 3.31.40 The woman, created by the Lord, is the representation of maya, and one who associates with such maya by accepting services must certainly know that this is the way of death, just like a blind well covered with grass.
- Maya means illusion, deceit and fraud. Maharishi Manu writes that after creating women, God allotted to them dishonesty, malice, bad conduct, etc.
- Manu Smriti 9.17 (When creating them) Manu allotted to women (a love of their) bed, (of their) seat and (of) ornament, impure desires, wrath, dishonesty, malice, and bad conduct.
- Mahabharata 13.40 The Shruti declares that women are endowed with senses the most powerful, that they have no scriptures to follow, and that they are living lies. Beds and seats and ornaments and food and drink and the absence of all that is respectable and righteous, indulgence in disagreeable words, and love of sexual companionship—Brahman bestowed these upon women.
- Gita 9.32 "For those who take refuge in Me. O Partha, though they be of sinful birth- women, Vaisyas, and Sudras, even they attain the Supreme Goal."
- Mahabharata 14.19.61 By adhering to this religion, even they who are of sinful birth, such as women, Vaisyas and Sudras, attain the highest goal.
- Srimad Bhagavatam 2.7.46 "Surrendered souls, even from groups leading sinful lives, such as women, the labourer class, the mountaineers and the Siberians, or even the birds and beasts, can also know about the science of Godhead and become liberated from the clutches of the illusory energy by surrendering unto the pure devotees of the Lord and by following in their footsteps in devotional service." Tr. Swami Prabhupada

⁷ Shashi Deshpande 'women in the novel of Shashi deshpande' International Journal of Creative Research Thoughts(ICRT)



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- Manu Smriti 5.139. Let him who desires bodily purity first sip water three times, and then twice wipe his mouth; but a woman and a Sudra (shall perform each act) once (only).
- Brahmanda Purana 2.3.15.56 "The leavings of food from a Sraddha should not be given to women or Sudras." Tr. G.V. Tagore
- Mahabharata 13.128 That man who thinks it all right when a Sudra ignites the fire upon which he is to pour libations or who does not see any fault when women who are incompetent to assist at Sraddhas and other rites are allowed to assist at them, really becomes stained with sin.
- Samvarta Samhita, verse 181: "By being touched by a dog or by another woman in her menses, a woman in menses should fast for the remaining days [of the menstrual period] and get herself purified by drinking clarified butter after bathing [at the end of the menstrual period]." Tr. Manmatha Nath Dutt
- Shatpath Brahmana says that dog, Sudra and women are untruth, Satapatha Brahmana 14.1.1.31. And whilst not coming into contact with Sûdras and remains of food; for this Gharma is he that shines yonder, and he is excellence, truth, and light; but woman, the Sûdra, the dog, and the black bird (the crow), are untruth: he should not look at these, lest he should mingle excellence and sin, light and darkness, truth and untruth.
- Manu Smriti 3.239. A Kandala, a village pig, a cock, a dog, a menstruating woman, and a eunuch must not look at the Brahmanas while they eat.

With the rise of the Bhakti movement in the Middle Ages, the influence of women in Hinduism grew even greater, as numerous female saints and poetesses composed devotional songs and poems to God. Saint Soyarabai, who hailed from a marginalised background, said, "O God, every human being carries impurity along with purity, why then should some human beings be treated as untouchables?"⁸

Sanathan Dharma

In Hindu culture, women are worshipped in various forms, such as Durga, Kali, Saraswati, and Laxmi. Still, the Sanatan Hindu Dharma lays down certain rules and guidelines that she should follow and avoid in her lifetime. Women should not learn to chant the Vedas, as it is a full-time job; instead, they can learn Sanskrit, grammar, civil laws, the philosophical content of the Vedas, and so on.

Women's Status during British Rule

When British rule came to India, Western scholars observed that Hindu women could attain spiritual equality with their counterparts and become rulers with training in military tactics. Maharani Laxmi

⁸ Ujwala Sabanavees 'Mharani Soyarabai', payal books



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Bai, who participated in the 1857 mutiny, is an example. In normal circumstances, women faced male domination and atrocities from the early period. They fought against the oppression and atrocities against women. In December 1829, Lord William Bentinck, the first governor general of British-ruled India, banned sati, the ancient Hindu practice of a widow immolating herself on her husband's funeral pyre. They condemned and went against such practices as sati, polygamy, child marriage, the ban on widow remarriage, etc. Social reformists like Raja Ram Mohan Roy and Iswar Chandra Vidyasagar made pioneering efforts towards the upliftment of women's status. He also raised his voice against the purdah system that was imposed on women. A girls' school was started in Bombay in 1824. A former student of Hindu College, Calcutta, Peary Charan Sarkar, set up the first free school for girls in India in 1847 in Barasat, near Calcutta. Maharshi Karve took up the challenges of widow remarriage and women's education. He established SNDT Women's University in Maharashtra in 1916. Education for women was identified as a major instrument for the uplift of women's status. But the Calcutta, Bombay, and Madras Universities did not permit the admission of women until 1875. Some of the major women organisations like Bharat Mahila Parishad (1904), Bharat Stri Mahamandal (1910), Women's Indian Association (1917), National Council of Women in India (1925), and All India Women's conference (1927) took up issues like women education, abolition of social evils, equalities of rights, etc The All India Women's Education Conference was held in Pune in 1927. Mohamed Ali Jinnah tirelessly worked for the ban on early child marriage. Through his efforts and also with the help of other nationalist leaders, the Child Marriage Restraint Act was passed in 1927, improving women's status in Manipur. Manipur, once a princely state, became a British Crown colony only in 1891. During this period, two great incidents related to women took place, both known as 'NupiLal' or women's uprising against British rule.

Significant Societal Barriers to Women's Education

The factors that prevent Indian women from receiving an education and joining the mainstream are mainly social. Below are some of the factors in brief:-

1) Patriarchal Society

Indian society is a male-dominated society. Women are not allowed the social status equivalent to men and are relegated to the confines of their houses. Though the situation is different in urban areas, where women are more educated and employed, rural areas, constituting 70% of the Indian population, still lag in gender equality. Educating a woman or a girl child is considered a non-profit venture in such societies. Females in many rural societies are considered a liability, which has to be ultimately transferred to another family after marriage.

2) Gender Discrimination

While we progress fast to become the world's superpower one day, gender inequality is the reality that screams in our society even today. Even the educated and working urban women are not aloof



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from the experiences of gender bias, not to mention the women in rural areas. Women in some industries are paid less than men with the same credentials. Their efficiency for a particular task or project is rated lower than that of their male counterparts. Women are grossly underestimated for promotions or for holding responsibilities. Such gender discrimination discourages women from being educated and achieving their aspirations.

3) Crime against women

Women of India are much more susceptible to violence and threats than men. Many crimes against women are still prevalent in Indian society, like dowry, domestic violence, flesh trade, sexual harassment, etc. Such crimes only restrict women from stepping out of their houses and entering schools or even offices, for that matter.

4) Lack of Security

Though the successive governments have worked to provide Indian women a safe and secure environment at home and also at work, a lot remains to be done. Women working, even in the country's safest cities, lack the courage to travel alone at night. Girls going to school in rural areas are pestered and eve-teased. Such incidents also contribute to the high dropout rate among female students. It is the responsibility of the government and society as well to ensure a girl's safe transit to school, thereby supporting her education.

5) Expectations of domesticity

With the implicit understanding that a girl is being prepared for a position as a wife, mother, and daughter-in-law, whereas a boy is being prepared for an occupation, girls are expected to contribute to the household much earlier than boys.

6) Infrastructure barriers

The Right to Education bill has established some norms and standards regarding infrastructure barriers. Still, it is generally believed that girls suffer from the absence of infrastructure more severely than boys do for a variety of reasons. 40% of all government schools lacked a working public restroom as of 2012. This increases opposition to allowing females to attend school. Lack of latrines can especially harm girls' attendance at school. In 2005, nearly 20% of schools (across all categories) lacked access to a drinking water facility, including 80.56% of schools in rural areas

7)Change of Mindset-

“The woman who follows the crowd will usually go no further than the crowd. The woman who walks alone is likely to find herself in places no one has ever been before.” - Albert Einstein.⁹

Women embodying confidence, courage, intelligence, and determination achieve remarkable success

⁹ Albert Einstein, 'Albert Einstein quotes:Albert Einstein,Quotes,quotations,famous quotes,13 July 2016



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in diverse fields, bringing pride to India with their accomplishments. From beauty to books and social change, Indian women have made significant contributions and impact in various sectors and that is only possible with the changing mindset that first mind and intellect must be sensed by the senses and processed by arranging social awareness programme through mass media, conversation, conferences, seminar, message through tv programme, advertisements, family serials or through campaign in social media platform with knowledge and wisdom.

Advantages of Women's/ Female Education in India

Following is the brief description of the advantages of women's/female education in India-

1) Social Development

Educating women could be the key to removing many social evils of Indian society- the dowry system, female infanticide and workplace harassment, etc. An educated woman changes the future generations.

2) Economic Development

Educating women will definitely lead to the nation's economic development as more women join the workforce.

3) High Living Standard

An educated woman will contribute financially to the needs of her family and relatives. Two-income parents provide better growth prospects for the children as well as a higher standard of living for the family.

4) Social Recognition

A family with educated women enjoys a high social status and is honoured more than other families. An educated woman conducts herself appropriately in society, earning laurels for her family and making it proud.

5) Improved Health and Hygiene

An educated woman recognises the health hazards to her family and knows how to address them. She knows how to feed and nurture her children, and she tells them about good and bad hygiene.

For the betterment of women's education in India, the following programmes have been run

1. Sarwa Shiksha Abhiyan¹⁰
2. Indira Mahila Yojana¹¹

¹⁰ Ssa.nic.in, <http://ssa.nic.in>

¹¹ <https://www.myscheme.gov.in>



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3. Balika Samridhi Yojana¹²
4. Rashtriya Mahila Kosh¹³
5. Mahila Samridhi Yojana¹⁴
6. Employment and Income Generating Training-cum-Production Centres
7. Programme of Development of Women and Children in rural areas
8. Short Stay Home for Women and Girls

Factors Affecting Women's Education In India

- Undernourishment and malnutrition of the girl child
- Sexual harassment and abuse at an early age
- Lower socio-economic status of parents
- Infections and low immunity during childhood
- So many social restrictions and taboos in their life
- Forced to follow the orders of elders in the family, whether at home with parents or parents-in-law
- Allowed to get only a limited education

Women's Rights in India -Recommendations & enumerated disparities in law enforcement:-

Legal Rights for Women in India

•The right to equality and non-discrimination

The Constitution of India guarantees women the right to equality and non-discrimination. Article 14 ensures equality before the law, prohibiting any form of discrimination based on gender. This fundamental right forms the bedrock of women's rights in India and provides a basis for challenging discriminatory practices.

The landmark case of *Vishaka v. State of Rajasthan*¹⁵ In 1997, this led to the formulation of guidelines to address sexual harassment at the workplace. These guidelines, known as the Vishaka Guidelines, outlined employers' duties and established a framework for preventing and addressing workplace harassment.

¹² <https://hindi.news18.com>

¹³ <https://services.india.gov.in>portal>

¹⁴ <https://nsfdc.nic.in>mahila-samrid>

¹⁵ *Vishaka & Ors vs State Of Rajasthan & Ors* on 13 August,1997,<https://indiankanoon.org>doc>



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•The right to education and employment

Women in India have the right to education and employment on an equal footing with men. The Right to Education Act¹⁶, passed in 2009, guarantees free and compulsory education for all children between the ages of 6 and 14, irrespective of gender, in *Unni Krishnan v. State of Andhra Pradesh*¹⁷ (1993) This legislation has played a crucial role in enhancing girls' access to education and reducing gender disparities in literacy rates.

In the realm of employment, the Maternity Benefit Act, 1961, provides for maternity leave and other benefits for women workers. This legislation ensures that women are not disadvantaged in the workplace due to pregnancy or childbirth. Additionally, the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013, establishes a framework for addressing sexual harassment in both the public and private sectors.

•The right to own property and inheritance

Traditionally, women in India faced significant challenges in owning and inheriting property.

The Prohibition of Benami Property Transactions Act, 1988, aims to prevent the practice of transferring property to evade legal obligations. This legislation has been instrumental in safeguarding women's property rights by curbing fraudulent transactions.

Proprietary Rights Of Women In India

Muslim Law Daughters

In inheritance, the daughter's share is equal to one-half of the son's, in keeping with the concept that a woman is worth half a man and always has full control over this property. It is legally hers to manage, control, and dispose of as she wishes in life or death. Daughters have the right to reside in their parents' homes, as well as the right to maintenance, until they are married.

Wives

In Islamic law, a woman retains control over her property. She has the right to the same maintenance he provides to his other wives, if any, and may take action against him if he discriminates against her. If there is more than one wife, the share may diminish to one-sixteenth. In circumstances where there are no sharers in the estate as prescribed by law, the wife may inherit a greater amount by will.

Christian Law Daughters

She inherits equally with any brothers and sisters of her father's estate or her mother's. Entitled to shelter, maintenance before marriage, but not after, from her parents. Full rights over her personal

¹⁶ Ministry of Education, <https://www.education.gov.in>

¹⁷ Unni Krishnan, j.p And Ors. Etc vs State of Andhra Pradesh And Ors .Etc.Etc, on 4 February 1993, <https://indiankanoon.org.doc>



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property, upon attaining majority. Until then, her natural guardian is her father.

Wives

She is entitled to maintenance from her husband, but his failure to provide the same is not, by itself, grounds for divorce. Upon the death of her husband, she is entitled to a one-third share of his property, the rest being divided among the children equally. She must inherit at least Rs. 5000/- from her husband's estate.

Mothers

She is not entitled to maintenance from her children. In case any of her children dies without a spouse or living children, she may inherit one-fourth of the assets.

Hindu Law Daughters

Daughters have an equal right of inheritance to their father's property as sons. Daughters also have a share in the mother's property.

The Hindu Succession (Amendment) Act, 2005 (39 of 2005) came into force from 9th September 2005. The Amendment Act removes gender discriminatory provisions in the Hindu Succession Act, 1956, in *Prakash v. Phulavati (2016)*¹⁸ and gives the following rights to daughters.

- The daughter of a coparcener shall, by birth, become a coparcener in her own right in the same manner as the son.
- A married daughter has no right to shelter in her parents' house, nor maintenance, nor charge for her being passed on to her husband. However, a married daughter has a right of residence if she is deserted, divorced or widowed.
- A woman has full rights over any property that she has earned, or that has been gifted or willed to her, provided she has attained majority. She is free to dispose of these by sale, gift or will as she deems fit.

Wives

A married woman has exclusive right over her individual property. Unless she gifts it, in whole or in part, to anyone, she is the sole owner and manager of her assets, whether earned, inherited, or gifted to her. Upon partition of a joint family estate between her husband and his sons, she is entitled to a share equal to that of any other person. Similarly, upon her husband's death, she is entitled to an equal share of his portion, together with her children and his mother.

Maintenance

Section 125 of the Criminal Procedure Code prescribes maintenance for wives, children, and parents

¹⁸ Prakash & Ors v. Phulawati & Ors-IndianLaw LLP, <https://www.indianlaw.in>> real-estae



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in *Mohd. Ahmed Khan v. Shah Bano Begum on 23rd April 1985*¹⁹ A landmark Supreme Court Judgement was delivered.

Order issued by a Magistrate of the first class

The Magistrate can also, during the pendency of the proceedings, order a monthly allowance for interim maintenance. Application for the monthly allowance for the interim maintenance and expenses of the proceeding shall, as far as possible, be disposed of within sixty days from the date of the service of notice of the application. "Wife" includes a woman who has been divorced by, or has obtained a divorce from, her husband and has not remarried.

•The right to protection from violence and harassment

Violence against women remains a grave concern in India. To address this issue, several legislations have been enacted to protect women from domestic violence, sexual assault, and other forms of gender-based violence. The Protection of Women from Domestic Violence Act, 2005, provides a comprehensive framework for addressing domestic violence and ensuring the safety and well-being of women in domestic relationships.

- The Criminal Law (Amendment) Act, 2013, introduced significant changes to the laws governing sexual offences. It expanded the definition of rape, criminalised various forms of sexual harassment, and enhanced penalties for sexual offences. These amendments were a response to the widespread outrage following the brutal gang-rape and murder of a young woman in Delhi in 2012.
- The right to reproductive health and family planning

Women in India have the right to reproductive health and family planning. The Medical Termination of Pregnancy Act, 1971, allows women to seek safe and legal abortions under certain conditions. This legislation ensures that women have access to reproductive healthcare services and can make informed decisions about their bodies and reproductive choices.

The National Family Planning Program, initiated in the 1950s, aims to promote family planning and provide contraceptive services to women across the country. This program has played a significant role in empowering women to make decisions about their reproductive health and well-being.

Recommendations and enlisted disparities in law enforcement:- Challenges and progress in women:-

The Constitution of India and legislation guarantee equality, including provisions for affirmative action in favour of women, and prohibit discrimination against women, particularly in relation to the

¹⁹ Mohd. Ahmed Khan v. Shah Bano Begum on 23rd April 1985, <https://indiankanoon.org>>doc



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State. However, in reality, women’s enjoyment and exercise of equal rights remain restricted in all spheres of life, including social, economic, and political spheres. Some significant disparities in law enforcement in the realisation of equality and non-discrimination, along with the corresponding recommendations, are as follows:

SL NO.	DISPARITIES	RECOMMENDATIONS
1	48.5% of the Indian population is women, but only 27.4% of women are in the workforce. Women hold only 14.39% of seats in the Lok Sabha (2019-2024) and 8.8% women in the Rajya Sabha (2010). During 2011-15, female MLAs in the State Legislative Assemblies accounted for 8.4%, and female candidates for 7.3%. The data show a continued low representation of women in the upper echelons of lawmaking and affirmative action.	To improve the representation of women in the upper echelons of lawmaking, affirmative action is required, including reserving 33 per cent of seats for women in the Lok Sabha and in all State Legislative Assemblies.
2.	Fundamental Rights, as enshrined in the Constitution, are enforceable only against the State. Thus, only the State has an obligation not to discriminate based on sex. However, there is a vacuum in the law regarding the prohibition of discrimination against women by any private person, organisation, or enterprise.	This legislative vacuum should be filled by enacting appropriate legislation.
3.	Several prevailing customs and practices that perpetuate discrimination against women are out of the purview of the legislative framework.	Efforts should be made to discourage prejudices and eliminate customs and practices that discriminate against women by enacting appropriate legislation and other necessary social measures.
4.	Despite legislation ensuring equal opportunities for women, the unavailability of adequate and quality crèches for children of working women discourages them from joining the workforce.	Crèches for children should be provided at or near workplaces/homes to enable and encourage women to work.
5.	Despite reservations for women as Independent Directors under the Companies Act, 2013, there are only a few women in leadership positions, especially at the board level, and many	The vacancies reserved for women on the board should be filled in a time-bound manner.



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	positions remain vacant.	
6.	States lack monitoring and regulating systems to prevent fake and fraudulent placement agencies, due to which domestic workers get trafficked into commercial sexual exploitation and forced labour.	The State Parties should put in place adequate monitoring and regulatory systems to closely oversee the operations of private placement agencies and prevent trafficking.
7.	The Transplantation of Human Organs and Tissues Act, 1994, is presently not aligned with the trafficking of persons. As a matter of fact, persons are also trafficked for organ trade.	The present ITPA should align with the Transplantation Act.
8.	Ineligibility and consequent disqualification of women to contest elections on the grounds of lack of educational qualification deprives women of no fault of theirs.	The legislature needs to be more sensitive when imposing disqualifying criteria for women contesting elections due to a lack of educational qualifications, until a particular level of literacy among women is achieved.
9.	Studies show that about 43% of women in politics entered politics through their politically active families rather than through their own capabilities and efforts. Gender stereotyping within families and in public life, lower literacy rate, lower financial autonomy, lower social status, lower exposure to public life, etc., pose immense challenges for women's political participation.	The socio-cultural barriers that women negotiate within families and in public life need to be changed. Awareness of the importance of equal participation of women in the nation's development is required through educational institutions, religious, social, and political leaders, civil society organisations, etc. The Draft National Policy for the Empowerment of Women, 2016, needs to be finalised and implemented.
10.	There are only 4 female Supreme Court Judges against the sanctioned strength of 34 (2021). No female Chief Justice of India has been appointed to date. There are only 80 women judges against a sanctioned strength of 1113 Judges in High Courts (7.2%), and only 17 designated female Senior Advocates against 703 (2.4%) men in the Supreme Court.	The Supreme Court should make efforts to increase the number of female judges and senior advocates.
11.	Statutory bodies established to protect and promote the rights of women are neither autonomous from the government nor	There is a need to ensure the autonomy and adequate resourcing of the statutory bodies established to protect and promote the



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	adequately resourced to participate actively in public life and to serve the purpose of their establishment.	rights of women, in line with the Paris Principles relating to the National Human Rights Institutions.
12.	Despite parity in primary school enrolment, the drop-out rate and gender disparities in law enforcement for girls' education are higher, especially in rural areas.	Infrastructure in schools, especially in rural areas, should be improved, including the provision of separate toilets for boys and girls. Menstrual hygiene should also be ensured in schools to encourage enrolment and retention of girls (adolescent) students, especially in rural areas.
13.	There is a lower proportion of girls/women students in technical education/professional programmes, especially where the cost of education is higher.	Higher enrolment of girls/women in technical education/professional programmes can be ensured by taking affirmative actions, including scholarships for girls/women students.
14.	Schemes related to the education of girls sometimes have clauses that indirectly uphold or foster patriarchy. Schemes linked to age/marriage promote a role expectation for girls about marriage. (Sukanya Samridhi Yojana)	The welfare schemes should be gender neutral, and there should not be any conditional clause regarding the marriage of the girls.
15.	Despite laws ensuring labour welfare and social security for workers, a large number of workers remain outside their purview, as these laws mainly cover workers in the organised sector. Nearly 94% of women workers are in the unorganised sector, such as brick kilns, construction, and agricultural work; as such, they do not receive the benefits of these laws.	Labour welfare and social security, including the payment of equal wages to workers, should be ensured, and measures should be taken to include the unorganised sector in legislation, with special emphasis on women workers in that sector.
16.	There is no employment guarantee scheme like MGNREGA. ²⁰ (which ensures 33% reservation for women) in urban areas of India.	There should be an employment guarantee scheme/Act in the urban areas, making reservations for women on the lines of MGNREGA.
17.	The Female Labour Force Participation Rate, i.e., the share of working women (who report	The State should encourage women's participation in the workforce by taking

²⁰ Nrega, <https://nrega.nic.in>



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	either being employed or being available for work), has fallen to a historic low of 23.3% in 201718. There is also a 7-percentage-point fall in work participation rates among rural women, from 24.8% to 17.5%. ²¹	affirmative action, such as demystifying gender stereotypes and ensuring an enabling, inclusive environment, including social support services and maternity benefits. Female labour force participation can be improved by providing reservations for women where required.
18.	An inadequate number of working women's hostels prevents women from joining the workforce.	An adequate number of hostels should be provided for working women to encourage them to join the workforce.
19.	Family obligations, including childcare responsibilities, are exclusively discharged by mothers, as childcare leave is available only to women employees.	Child care leave facilities should be shared by both parents so that men and women can balance family obligations with work responsibilities.
20.	Given the sociocultural realities of India, only a few women have the chance to represent India at the international level or to work for international organisations. The number of women representing the State at the international level, including in delegations, postings, assignments, committees, commissions, and multilateral agencies, is also very low. India is a party to several International Human Rights Treaties; however, the State's nomination of women to the monitoring bodies under various Human Rights Treaties and special mechanisms remains negligible. In almost 30 years, India has fielded only one woman as a member of the CEDAW Committee. ²²	The State should take affirmative action to ensure adequate representation of women at the international level, including participation in the work of international organisations. The State should endeavour to increase the nomination of women to the monitoring bodies under various Human Rights Treaties and special mechanisms, including the CEDAW Committee.

IKS Health-In, in continuation of featuring the powerful women

IKS Health is fully committed to this year's International Women's Day theme of 'Invest in Women: Accelerate Progress'. They are engaged in creating a more equitable workplace and empowering

²¹ (PLFS data for 2017-18)

²² Committee on the elimination of discrimination against women, Ohchr, <https://www.ohchr.org/cedaw>



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women to reach their full potential, recognising them as vital contributors to the company's success, and celebrating the past, present, and future achievements of women.

Women rising in Artificial Intelligence (AI) as a tool for Empowerment in developing regions:- **23**

The creation of intelligent computer systems capable of performing tasks that normally require human acumen, such as visual perception, natural language processing, decision-making, and speech recognition, is known as Artificial Intelligence (AI). For women, the obstacles to integrating AI include bias and the lack of representation in AI development.

Advantages:- AI-Enabled Learning Materials and Education for Women and Girls

1. Personalised learning experiences that accommodate each student's distinct learning style and speed can be offered by AI-powered adaptive learning platforms.
2. Girls and women can learn a new language through interactive lectures and practice exercises with the aid of AI-powered language learning apps.
3. Artificial intelligence (AI)--enabled educational games and simulations can make learning enjoyable and interesting, which can support female students' motivation and interest.
4. AI-driven online tutoring systems can give women and girls worldwide access to reasonably priced, excellent tutoring services.
5. Girls and women can get immediate support and direction as they traverse their educational journeys from AI-powered educational chatbots.

Moving Forward: Towards Inclusive Development:

Greek warrior, Napoleon said, "Give me a few knowledgeable moms, and I shall give you a heroic race."²⁴In recent years, various constitutional and prison rights have been implemented by the government of India to take away unfair practices and gender discrimination against women. Women's rights are human rights. Maharishi Manu declared unequivocally, "Yatra naarayastu poojayante ramante tatra devatah"²⁵ It means where Women are respected, divine grace adores that place. The status of Women in India has undergone many significant changes over the past few millennia.

Some notable women, like Regina Guha, Sudhanshubala Hazra, and Cornelia Sorabji, had to fight a hard and protracted legal battle to pave the way for a social movement that ultimately led to the promulgation of the Legal Practitioners (Women) Act, 1923, which entitled women to be admitted

²³ UNU,United Nations University,https://unu.edu>article.now-our

²⁴ Jacques Godechot,'History & Society',The editors of Encyclopaedia Britannica,27March,2024

²⁵ Dr.Surendra Kumar 'The Manusmriti',English Translation by PT satyaprakash Kumar



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and enrolled as legal practitioners. The Law Ministry in the Indian Parliament, on 29th July 2022, revealed that only 15.3% of lawyers in India are women.

Now, a glimpse at the number of women in the Judiciary in India. As per the Law Ministry's reply given on July 29, 2022, to an unstarred question in the Lok Sabha, out of 19,288 Judges employed in the District courts, 6,765, or 35%, are women. A recent dataset released by KHOJ (Know Your High Court Judges) states that over the past 25 years, women have accounted for less than 8% of High Court Judges. The total strength of Judges in the Supreme Court is 34, and currently, out of 27 sitting Judges, there are only 3 woman Judges, which is the highest percentage of woman Judges in the Supreme Court since its inception. Statistics on women in legal academia indicate that only 5 of the 23 Universities established in India have had women vice-chancellors, and that only 25.96% of the professors teaching at the Universities are women.²⁶

CONCLUSION

Feminist Jurisprudence represents the variations of feminist philosophy, with the belief that women are persecuted or underprivileged compared to men. Law-related strategies have played an important role in the campaigns of women's organisations to achieve literacy rates and women's empowerment, thereby bringing gender equality and social justice. The modern legal education scenario is unable to respond to contemporary challenges. The existing Indian legal Education is not prepared to face the challenges of globalisation. The following points should be taken into consideration.

- During the British Era, most of the Laws were made to fulfil their colonial objectives. But now, this is the apparent time to modify dynamic legal education through the Indian Knowledge System (IKS).
- Priority of Ancient Indian Legal Saints and Hindu Philosophers like Manu, Kautilya, Narada in Legal Education is imperative. So it is the need of the hour to get rid of the “colonial psyche” and “Indianize” the Indian Legal Jurisprudence or Hindu Jurisprudence to be incorporated in the syllabi of Legal Education and in the Indian Legal History of the Vedic Period, as well as a subject on Humanism/Buddhism of Ancient India.

Justice Ruth Bader Ginsburg, Judge, Supreme Court of the United States of America who had once quoted in her Book named 'My Own Words': "As women achieve power, the barriers will fall. As society sees what women can do, as women see what women can do, there will be more women out there doing things and we'll all be better off for it".²⁷

Preserve The Past, Assimilate The Present, and Protect The Future ultimately calls for an hour. Increasing gender diversity in the legal profession is not just about achieving equality, but about

²⁶ Women moving millions, <https://womenmovingmillions.org>

²⁷ Mary Hartnett , Ruth Bader Ginsburg, and Wendy W. Williams "My Own Words", 2016



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creating a more open and fair-minded society. A legal education grounded in original Indian Jurisprudence that is representative of the diverse experiences and perspectives of its population is more likely to deliver equitable and just outcomes for all.

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