



BABA MOHAN DAS COLLEGE OF EDUCATION

SELF LEARNING MATERIAL - B.Ed. 2nd YEAR

GENDER, SCHOOL & SOCIETY



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UNIT I

INTRODUCTION TO GENDER, GENDER ROLES AND DEVELOPMENT

Structure

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1.1. INTRODUCTION

Gender is a social construct that impacts attitudes, roles, responsibilities and behavior patterns of boys and girls, men and women in all societies. Increasing attention has been given to the importance of achieving gender equality in education. To date, however, most efforts have focused on addressing gender parity - an equal number or proportion of girls and boys accessing educational opportunities. Although simple gender parity may be easier to measure, gender equality encompasses a wider concept, of which gender parity is only a part. Gender equality moves beyond access and requires that girls and boys also experience the same levels of quality and outcomes of education. One of the key impediments to achieving gender equality in education is that it cannot be addressed in a vacuum; rather, educational institutions are products of the inequalities that exist in larger

society. Educational institutions are shaped by the societal forces that perpetuate gender-based discrimination; yet, they can also be essential tools to effect great change throughout a community or social context. Behaviours and beliefs formed in schools and educational institutions can have a lasting impact on gender relations in society. Education systems are both a result of external forces and instrumental to perpetuating or alleviating gender disparity around the world.

This unit emphasizes the concept of gender, types of gender roles, attitude towards gender and social construction of gender. This unit creates a lot of inputs for the prospective teachers about the gender issues, gender dynamics and gender roles.

1.2. OBJECTIVES

After going through this unit, you will be able to:

- describe the concept of gender and sex
- recognize the difference between gender and sex
- explain the terms gender dynamics
- describe the social construction of gender
- understand different types of gender roles
- analyse the gender relationship matrix
- identify the division of gender and valuation of work based on gender
- describe the gender roles and development

1.3. GENDER CONCEPTS AND TERMINOLOGY

Gender refers to the roles and responsibilities of men and women that are created in our families, our societies and our cultures. The concept of gender also includes the expectations held about the characteristics, aptitudes and likely behaviours of both women and men (femininity and masculinity). Gender roles and expectations are learned. They can change over time and they vary within and between cultures. Systems of social differentiation such as political status, class, ethnicity, physical and mental disability, age and more, modify gender roles. The concept of gender is vital because, applied to social analysis, it reveals how women's subordination (or men's domination) is socially constructed. As such, the subordination can be changed or ended. It is not biologically predetermined nor is it fixed forever.

The concept of gender needs to be understood clearly as a cross-cutting socio-cultural variable. It is an overarching variable in the sense that gender can also be applied to all other cross-cutting variables such as race, class, age, ethnic group, etc. Gender systems are established in different socio-cultural contexts which determine what is expected, allowed and valued in a woman/man and girl/boy in these specific contexts. Gender roles are learned through socialization processes; they are not fixed but are changeable. Gender systems are institutionalized through education systems, political and economic systems, legislation, and culture and traditions. In utilizing a gender approach the focus is not on individual women and men but on the system which determines gender roles / responsibilities, access to and control over resources, and decision-making potentials.

The gender concept implies:

- A rejection of the underlying biological distinction in the word “sex” and in the expression “sexual inequality”, which appears as “an ideological alibi for maintaining domination, the alibi of nature”. Women are no more part of nature and no less part of culture than men;
- Grouping together all the differences identified between men and women, be they individual differences, differences in social roles or cultural representations, i.e., the grouping together of all that is variable and socially determined;
- The non-homogenous nature of the category of women, which is transcended by differences of class, ethnicity and age;
- The basic asymmetry and hierarchy between both groups, sexes and genders - one of them dominating and the other dominated - which is the basis of male power;

Related terminology and concepts include:

- **Gender roles:** The particular economic, political and social roles and responsibilities that are considered appropriate for men and women in a culture.
- **Gender equality:** The absence of discrimination on the basis of a person's sex in authority, opportunities, allocation of resources or benefits, and access to services.
- **Gender equity:** The process of being fair to women and men. Sometimes this involves measures to redress historical disadvantages that have prevented men and women from having equal access to rights and privileges. Equity leads to equality. Gender equity also implies that health needs, which are specific to each gender, receive appropriate resources.

- **Gender awareness:** Understanding that there are socially determined differences between men and women, and that these influence access to and control of resources.
- **Gender Sensitivity:** The ability to perceive existing gender differences and issues, and to incorporate these into strategies and actions. Contrast with gender blindness.
- **Gender analysis:** Identifies the inequalities that arise from the different roles of men and women, and analyzes the consequences of these inequalities for their lives, health and well-being.
- **Gender Mainstreaming:** The process used to ensure that women's and men's concerns and experiences are integral to the design, implementation, monitoring and evaluation of all legislation, policies and programmes.
- **Gender Parity:** A numerical concept concerned with the relative equality in terms of numbers and proportions of women, men, girls and boys. In education, this means that the same number of boys and girls receive educational services at different levels and in diverse forms.

1.3.1. Definition of Gender

Gender is defined by FAO as 'the relations between men and women, both perceptual and material. Gender is not determined biologically, as a result of sexual characteristics of either women or men, but is constructed socially. It is a central organizing principle of societies, and often governs the processes of production and reproduction, consumption and distribution' (FAO, 1997).

Gender has been defined as: "The commonly shared expectations and norms within a society about appropriate male and female behavior, characteristics and roles. Gender can be considered a social and cultural construct that differentiates females from males and thus defines the ways in which females and males interact with each other. These roles and expectations are learned and they can change over time as well as vary within and between cultures."

1.3.2. Difference between Gender and Sex

The terms 'sex' and 'gender' are closely linked, yet they are not synonyms. Robert Stoller, in the 1960s, has drawn the distinction between them. He suggested that the word 'sex' be used to refer to the physical differences between men and women, while the term 'gender' be used in connection to the behaviour and cultural practices of men and women.

Sex: ‘Sex’ refers to the biological characteristics or natural biological differences between men and women, for example, the differences in the organs related to reproduction. A person’s sex is biologically determined as female or male according to certain identifiable physical features which are fixed. Women’s marginalisation has often been seen as ‘natural’ and a fact of their biology.

Gender: Gender refers to the cultural, socially constructed differences between the two sexes. It refers to the way society encourages and teaches the two sexes to behave in different through socialization. ‘Gender’ and the hierarchical power relations between women and men based on this are socially constructed, and not derived directly from biology. Gender identities and associated expectations of roles and responsibilities are therefore changeable between and within cultures. Gendered power relations permeate social institutions so that gender is never absent. The following are difference between sex and gender with respects to some attributes.

Difference between Sex and Gender

Attributes	Sex (Biological Difference)	Gender (Social Difference)
Definition	Biological or cosmological difference	Social not natural difference
Meaning	Refers to physiological characteristics	Refers social, cultural expectations and actions.
Aspect of Change	Difficult to change the sex when born as male or female	Can be changed since gender identity is determined by society
Aspect of role	Throughout history and across cultures, sex differences exist.	At different times in history and in different societies, gender roles are different.
Aspect of policy	Policies respond to sex differences in areas to do with the physical body.	Policies can respond to gender stereotype and traditional gender roles.

1.3.3. The concept of Gender, Sexuality and Development

Gender is a culture-specific construct - there are significant differences in what women and men can or cannot do in one culture as compared to another. But what is fairly consistent across cultures is that there is always a distinct difference between women's and

men's roles, access to productive resources, and decision-making authority. Typically, men are seen as being responsible for the productive activities outside the home while women.

Sexuality is distinct from gender yet intimately linked to it. It is the social construction of a biological drive. An individual's sexuality is defined by whom one has sex with, in what ways, why, under what circumstances, and with what outcomes. It is more than sexual behavior, it is a multidimensional and dynamic concept."

An overview Historically, four main gender narratives can be identified in the development discourse: the Women in Development (WID) approach, the Gender in Development (GAD) approach, post- structuralism theory, and the human rights-based approach (HRBA). It must be noted that elements of all narratives coexist and each narrative builds on the next, rather than replacing it.

Women in Development Approach: In the late 1970s and early 1980s, the WID approach became popular in the development field as a result of the concern that women were being left out of economic development processes. The approach focused on the inclusion of women in development as a tool to increase the economic and social efficiency of development processes. When applied to education, the WID approach is marked by an emphasis on expansion of education for girls and women, which is linked to economic growth and social efficiency. For example, WID advocates for investments in girls' education, citing increased societal benefits such as reduced child mortality rates, reduced fertility rates and increased gross domestic product per capita. The WID approach is prominently featured in the concept of gender parity, the notion that an equal proportion of girls and boys should be enrolled in and complete schooling.

Gender in Development Approach: By the late 1980s, the GAD approach came to the forefront. This approach sought to challenge root causes of gender inequality and increase women's access to resources and decision-making (DFID, 2002). The GAD approach focused on 'empowerment', or increasing the agency of women and giving them the power to take control of their own lives (UNESCO, 2009), often through targeted trainings and workshops. This approach also emphasizes gender equity as an objective, which refers to the process of being fair to women and men and challenging policies that unfairly bias men or women.

Post-structuralism and development: Post-structuralism theories critique a number of development practices and methodologies, particularly the power relations perpetuated by concepts such as 'development', 'development- assistance' and 'women' in the

developing world. These theories draw from post-colonial literary and cultural studies and assess the influence of colonialism on the development and conceptions of gender. Post-structuralist theories are concerned with questions of identity and view gender as a malleable form of identification rather than a fixed definition present in conventional development discourse. From the post-structural perspective, schooling is, in part, a process that should serve to acknowledge and critique set notions of identity, including gender and marginalized identities. While post-structuralist theory is influential within academia and in various political movements that focus on the rights of marginalized populations, it has not greatly influenced government and non-governmental organization (NGO) policies or practices.

Human rights-based approach: An overarching development approach that has been applied to education is the HRBA. It is based on the belief that education is a universal, inalienable human right that is interdependent with other basic human rights. This approach aims to ensure that all traditionally marginalized groups, including but not limited to girls and women, indigenous people, persons with disabilities and linguistic and/or cultural minorities, have access to education (UNICEF, 2007). After the adoption of the Beijing Platform for Action at the 1995 United Nations International Conference on Women, the concept of gender mainstreaming was also widely adopted by the development community. Gender mainstreaming is a “commitment to ensure that women’s as well as men’s concerns and experiences are integral to the design, implementation, monitoring and evaluation of all legislation, policies and programmes so that women and men benefit equally and inequality is not perpetuated”.

1.3.4. Gender Dynamics

Gender dynamics include the relationships and interactions between and among boys, girls, women, and men. Gender dynamics are informed by socio-cultural ideas about gender and the power relationships that define them. Depending upon how they are manifested, gender dynamics can reinforce or challenge existing norms. Gender dynamics is nothing but the way in which men and women are treated or behave differently in society, either with their own gender or with each other. The changes in gender dynamics and roles in society for an individual or group can be changed by either economic standing, age or other factors.

A handful of behaviors are sometimes considered negative by a portion of society whom believes it makes men and women unequal. Feminist being the most popular example of this. Though most feminists tend to ignore how gender dynamics tend to treat men unfairly as well or how they're ultimately inescapable but can be reversed or changed in a way to become different from their original form. Other than that gender dynamics are an important part in the human experience and have been found in every society throughout history. Including our own, and will continue to be relevant in the societies our future descendants make.

Before the 21st century parents dressed young boys in frilly, typically feminine dresses and it was difficult to distinguish between boys and girls. Today a boy would be socially segregated for having long hair, proving that gender dynamics are still relevant in the hip 21st century.

Gender dynamics can impact on the ability of learners to access and fully participate in quality education. Barriers to learning will often be different for male and female learners, who face different risks and have different needs. Sometimes the gender dynamics are clearly visible, but at other times they might be less obvious, or even hidden. Using a gender lens to analyze access to and full participation in education is critical.

1.3.5. Social Construction of Gender

The idea that gender difference is socially constructed is a view present in many philosophical and sociological theories about gender. According to this view, society and culture create gender roles, and these roles are prescribed as ideal or appropriate behavior for a person of that specific gender. Some argue that the differences in behavior between men and women are entirely social conventions, whereas others believe that behavior is influenced by biological universal factors to some extent, with social conventions having a major effect on gendered behavior. The following are the some of the social constructions of gender.

Gender-based harassment: Girls are expected to conform to stereotypical gendered appearances, as are boys. Both male and female students regularly take part in policing gender boundaries through bullying. Male students frequently harass male and female students, while female students generally only harass other female students. The practice of male students bullying other male students is explicitly linked to machismo that boys are expected to subscribe to in order to be constructed and related to as 'normal' boys. Many

girls report that boys tease and ridicule them on the basis of their appearance, which is linked to boys asserting masculine power through sexist practices of denigrating girls. This also serves to perpetuate the idea that appearance is a female's most important asset. The way in which girls harass other girls is through gossiping, instead of confronting the other girls directly. Unique appearances and attempts to stand out among girls are regarded very negatively. This type of female on female bullying sets the standard for appearance norms and the importance of appearance for females.

Adolescent view of adulthood: Gender is a cultural construction which creates an environment where an adolescent's performance in high school is related to their life goals and expectations. Because most young women know they want to be mothers and wives, the choice of professions and future goals can be inherently flawed by the gender constraints. Because a girl may want to be a mother later, her academics in high school can create clear gender differences because "higher occupational expectations, educational expectations, and academic grades were more strongly associated with the expected age of parenthood for girls than for boys".

Depression: High school continues to become a higher-pressure environment with academic and social triggers increasing the expectations of adolescents. High school is a large transitional period for teenagers causing them to "cope with these various transitions in different ways; some negotiate the passages easily whereas others develop serious behavioral and psychological problems". One of these psychological problems is depression. While the environment of high school can be stressful biological functions also play a large role is psychological well-being. Depression can be isolating, and without proper academics and societal support, high school can be challenging. Along with higher rates of self-esteem issues in adolescents, this can adversely affect girls' academics and social life in high school.

Body image: There are many different factors that affect body image, "including sex, media, parental relationship, and puberty as well as weight and popularity". The intersectionality of these factors causes unique experiences for adolescents during this period within their lives. As their body changes, so does the environment in which they live in. Body image is closely linked to psychological during adolescence and can cause harmful effects when a child has body dissatisfaction.

Education: Due to the amount of time that children spend in school, "teachers are influential role models for many aspects of children's educational experiences, including

gender socialization". Teachers who endorse the culturally dominant gender-role stereotype regarding the distribution of talent between males and females distort their perception of their students' mathematical abilities and effort resources in mathematics, in a manner that is consistent with their gender-role stereotype and to a greater extent than teachers who do not endorse the stereotype.

Check Your Progress - 1

Note:

- a) Write your answer in the space given below
- b) Compare your answer with those given at the end of the unit.

(i) What are the differences between gender and sex?

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(ii) List out the various social constructions of gender

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(iii) What do you mean by Gender Dynamics?

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1.4. GENDER ROLES

A gender role is a set of societal norms dictating the types of behaviors which are generally considered acceptable, appropriate, or desirable for people based on their actual or perceived sex or sexuality. Gender roles are usually centered on conceptions of femininity and masculinity, although there are exceptions and variations. The specifics regarding these gendered expectations may vary substantially among cultures, while other characteristics may be common throughout a range of cultures.

The term gender role was first coined by John Money in 1955, during the course of his study of intersex individuals, to describe the manners in which these individuals expressed their status as a male or female in a situation where no clear biological assignment existed. The term gender role refers to society's concept of how men and women are expected to act and how they should behave. These roles are based on norms, or standards, created by society.

1.4.1. Types of Gender Roles

Gender roles are a specific set of social and behavioral actions which are considered to be appropriate for the given gender. The concept of gender roles has been developed from the work of Caroline Moser. She explains this concept as follows:

Gender planning recognises that in most societies low-income women have a triple role: women undertake reproductive, productive, and community managing activities, while men primarily undertake productive and community politics activities.

Reproductive Role	Childbearing/rearing responsibilities, and domestic tasks done by women, required to guarantee the maintenance and reproduction of the labour force. It includes not only biological reproduction but also the care and maintenance of the work force (male partner and working children) and the future work force (infants and school-going children).
Productive Role	Work done by both men and women for pay in cash or kind. It includes both market production with an exchange-value, and subsistence/home production with actual use-value, and also potential exchange-value. For women in agricultural production, this includes work as independent farmers, peasant wives and wage workers.
Community Managing Role	Activities undertaken primarily by women at the community level, as an extension of their reproductive role, to ensure the provision and

	maintenance of scarce resources of collective consumption, such as water, health care and education. This is voluntary unpaid work, undertaken in 'free' time.
Community Politics Role	Activities undertaken primarily by men at the community level, organising at the formal political level, often within the framework of national politics. This is usually paid work, either directly or indirectly, through status or power.
Multiple Roles	Both men and women play multiple roles. The major difference, however, is that <ul style="list-style-type: none"> • Men: typically play their roles sequentially, focusing on a single productive role • Women: must usually play their roles simultaneously, balancing the demands of each within their limited time constraints

The gender-based division of labour ascribed in a given socio-economic setting determines the roles that men and women actually perform. Since men and women play different roles, they often face very different cultural, institutional, physical and economic constraints, many of which are rooted in systematic biases and discrimination.

1.4.2. Gender Roles and Relationships Matrix

The Gender Relationship Matrix is an analytical tool that uses participatory methodology to facilitate the definition and analysis of gender issues by the communities that are affected by them. Using the Gender Relationship Matrix will provide a unique articulation of issues as well as develop gender analysis capacity from the grassroots level up. The main aims of the Gender Relationship Matrix are as follows.

- Helps determine the differing impacts of development interventions on women & men.
- Provides a community based technique for identification and analysis
- Initiates a process of analysis that identifies and challenges gender roles within the community in a constructive manner.

The Gender Relationship Matrix is consist of two parts of analysis namely level of analysis and category of analysis.

Level of Analysis

- Women - all ages in the community
- Men - all ages in the community
- Household - All men, women, children residing together extended, nuclear family.
- Community - Everyone in the project area as a whole.

Category of Analysis

- Labor – This refers to Changes in tasks, level of skill required (skilled versus unskilled, formal education, training) and labour capacity (how many people and how much then can do; do people need to be hired or can members of the household do it.)
- Time – This refers to changes in the amount of time (3 hours, 4 days, and so on) it takes to carry out the task associated with the project or activity.
- Resource – This refers to the changes in access to capital (income, land, etc) as a consequence of the project, and the extend of control over changes in resources (more or less) for each level of analysis.
- Cultural – Cultural factors refer to changes in social aspects of the participants lives (changes in gender roles or status) as the result of the project.

Gender Roles and Relationships Matrix Format

Levels of Analysis	Categories of Analysis			
	Labour	Time	Resource	Culture
Women				
Men				
Household				
Community				

1.4.3. Gender Based Division and Valuation of Work

Families provide love and support to adults and children, but homes are also workplaces, and households are important parts of the larger economy. Even when families do not directly produce or market goods and services, they keep the economy running by supporting and maintaining adult workers, buying and consuming products, and reproducing the workforce by having babies and socializing children. These domestic activities require labor. The total amount of time and effort put into feeding, clothing, and caring for family members rivals that spent in all other forms of work.

Every home is a combination of hotel, restaurant, laundry, and often childcare and entertainment center. The mundane work that goes into these activities is usually invisible to the people who benefit from it, especially children and husbands, who are the equivalent of nonpaying customers. Cleaning and cooking obviously require work, but even fun activities like parties or holiday gatherings require planning, preparation, service, clean-up, and other behind-the-scenes effort. Women perform most of this family labor, even though men do the same sorts of things outside the home for pay as chefs, waiters, or janitors. Although people tend to think of domestic activities as "naturally" being women's work, there is enormous variation in who does what both inside and outside the home. Every society has restrictions on what kinds of work men and women do, but there is no global content to these roles, and studies show that divisions of labor are influenced by specific environmental and social conditions. Activities often associated with women, such as nurturance, domestic chores, and childcare, are sometimes performed by men, and activities often associated with men, such as warfare, hunting, and politics, are sometimes performed by women. Thus, although gender is often used to divide labor, there is no universal set of tasks that can be defined as "women's work" or "men's work."

1.4.4. Exploring Attitudes towards Gender

Attitudes towards Gender (also referred to as sex role attitudes) have been defined as "an individual's beliefs about appropriate behavior for men and women". One's gender role attitudes are likely to indicate her or his adherence to socially accepted and culturally based norms that dictate behavioral standards in cross - sex relationships. Gender role attitudes indicate the degree to which a person accepts or rejects socially accepted and culturally based norms that dictate appropriate behavior that is gender specific. Social Attitudes surveys have included attitudinal questions asking about the roles of men and women within the family, in particular around providing an income from work versus playing a caring role in the home.

Examples of gender role attitudes include such statements as "men should open the door for women," "fathers and mothers should participate equally in nurturing and caring for their children," "men are primarily responsible for earning money and providing for their family," and "women should adopt their husband's surname upon marriage."

Gender role attitudes and ideas about traits or tasks that are specific or inherent to a particular gender encourage us to stereotype or pigeonhole individuals according to their gender. Obviously, this practice has negative implications for both males and females.

However, gender biases in language, traditions, and the work place have tended to historically favor men and produce undesirable consequences for women.

Check Your Progress - 2

Note:

- a) Tick mark the right answer in case of question (i) and write your answer in the space given below in the question (ii) & (iii)
- b) Compare your answers with those given at the end of the units.

(i) Which of the following is not a part of categorical analysis of Gender Relationship Matrix?

- A. Labor
- B. Time
- C. Resource
- D. Men

(ii) What do you mean by Gender Role?

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(iii) List out the various types of Gender Role.

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1.5. LET US SUM UP

Human rights are for all human beings, men as well as women. This means that women are entitled to the same human rights as men. However, all over the world women have historically often been discriminated against in many ways, due to the fact that they are born as female and not male. Even though there have been some improvements, unfortunately, this kind of discrimination still exist in our societies. Ideas about gender roles represent a social norm that is currently changing and evolving. This unit proposes the basic concepts and Terminologies of Gender.

1.6. UNIT END ACTIVITIES

1. Debate and discussion on violation of rights of girls and women
2. Collect thoughts of eminent men and women of India on girls education and women's empowerment
3. Conducting poster competition on gender equality and empowerment for your students
4. Visit nearer schools of your native and study the sexual abuse and sexual harassment cases.
5. Identifying the gender issues and gender bias in India

1.7. ANSWERS AS CHECK YOUR PROGRESS

1. (i) Difference between gender and sex

Attributes	Sex (Biological Difference)	Gender (Social Difference)
Definition	Biological or cosmological difference	Social not natural difference
Meaning	Refers to physiological characteristics	Refers social, cultural expectations and actions.
Aspect of Change	Difficult to change the sex when born as male or female	Can be changed since gender identity is determined by society
Aspect of role	Throughout history and across cultures, sex differences exist.	At different times in history and in different societies, gender roles are different.

- (ii) Social Construction of Gender

- Gender based harassment
- Adolescent view of adulthood
- Depression
- Body image
- Education

(iii) **Gender Dynamics:**

Gender dynamics include the relationships and interactions between and among boys, girls, women, and men. Gender dynamics are informed by socio-cultural ideas about gender and the power relationships that define them.

2. (i) D

(ii) **Gender Role:**

A gender role is a set of societal norms dictating the types of behaviors which are generally considered acceptable, appropriate, or desirable for people based on their actual or perceived sex or sexuality. Gender roles are usually centered on conceptions of femininity and masculinity, although there are exceptions and variations.

(iii) **Types of Gender Role:**

- Reproductive role
- Productive role
- Community Managing Role
- Community Politics Role

1.8. SUGGESTED READINGS

FAO. 1997. Gender: the key to sustainability and food security. SD Dimensions, May 1997 (available at www.fao.org/sd).

Howard, P. 2003. Women and plants, gender relations in biodiversity management and conservation. London, ZED Books.

Kanter, Rosabeth Moss. 1977. Men and Women of the Corporation. New York: Basic Books.

Lippa, Richard A. 2002. Gender, Nature, and Nurture. Mahwah, NJ: L. Erlbaum.

Oakley, Ann. 1972. Sex, Gender, and Society. New York: Harper and Row.

Thorne, Barrie. 1993. Gender Play: Girls and Boys in School. New Brunswick, NJ: Rutgers University Press.

UNIT II

GENDER AND SCHOOL

Structure

- 2.1. Introduction
- 2.2. Objectives
- 2.3. Gender Bias
 - 2.3.1. Gender Bias in School Environment
 - 2.3.2. Gender Bias in Dropouts
 - 2.3.3. Gender Bias in Household responsibilities
 - 2.3.4. Social attitudes towards Girl's Education
 - 2.3.5. Value accorded to Women's Education
- 2.4. Issues related to Gender in School
 - 2.4.1. Sexual Abuse
 - 2.4.2. Sexual Harrassment
 - 2.4.3. Perception of safety at school, home and beyond
 - 2.4.4. Adult and Non-Formal Education for Women's development
 - 2.4.5. Importance of vocational training and income generation for women
- 2.5. Gender Equality
 - 2.5.1. Role of schools in reinforcing gender equality
 - 2.5.2. Role of peers in reinforcing gender equality
 - 2.5.3. Role of teachers in reinforcing gender equality
 - 2.5.4. Role of curriculum and textbook in reinforcing gender equality
- 2.6. Let Us Sum Up
- 2.7. Unit- End Activities
- 2.8. Answers as check your progress
- 2.9. Suggested Readings

2.1. INTRODUCTION

As one of the most fundamental aspects of self, gender impacts everybody. All of us can point to a time in our lives when we were burdened by unfair limitations or expectations because of others' beliefs about our gender. Regardless of a student's age, gender impacts a child's experience at school across the grades. As a primary socializing agent, schools have

a tremendous opportunity and responsibility to be inclusive of all students, regardless of their Gender identity or expression. School is the place where our children should be exploring ideas and discovering new skills. It is inexcusable that any child might be prevented from pursuing their passions simply based on others' perceptions of their gender. By sending a message that certain pursuits are off limits simply because of a person's gender, we lose access to an incredible source of human potential. This unit discusses herewith the gender bias in school environment, dropouts and household responsibilities. This unit also explores the issues related to gender in school, importance of vocational training and income generation for women and also discuss the role of school, peers, teachers, curriculum and textbooks in reinforcing gender parity.

2.2. OBJECTIVES

After going through this unit, you will be able to:

- define and explain gender bias in school enrollments, dropouts and household responsibilities
- discuss the social attitude towards Girl's education
- understand and discuss the issues related to Gender in School
- recognize the difference between the sexual abuse and sexual harassment
- explain the current women development via adult and non-formal education
- describe the importance of vocational training and income generation for women.
- discuss the role of various stockholders in reinforcing gender equality.

2.3. GENDER BIAS

Gender bias is a preference or prejudice toward one gender over the other. Bias can be conscious or unconscious, and may manifest in many ways, both subtle and obvious. It is the unequal treatment in employment opportunity such as promotion, pay, benefits and privileges and expectations due to attitudes based on the sex of an employee or group of employees. Gender bias can be subtle or overt, and can result in small or large consequences. Most countries have laws eliminating gender bias in work places. Gender bias can be a legitimate basis for a lawsuit under anti-discrimination statutes. Gender bias is behavior that shows favoritism toward one gender over another. Most often, gender bias is the act of favoring men and/or boys over women and/or girls. Gender bias occurs when people make assumptions regarding behaviors, abilities or preferences of others based upon

their gender. Because there are strong gender role stereotypes for masculinity and femininity, students who do not match them can encounter problems with teachers and with their peers.

2.3.1. Gender Bias in School Enrollments

Discrimination based on gender is one of the primary impediments to education. And it affects boys and girls. In some regions, boys' educational opportunities are limited by gender roles that force them to work rather than attend school. These financial responsibilities are often increased in boys' adolescent years, making it difficult for them to complete secondary school in some regions. However, in many parts of the world, girls are most often the victims of gender discrimination as they pursue an education. Education is the only key to bring Gender equality. Increase in literacy rate should bring equality based on gender but in Indian society gender equality is not yet achieved upto the expected level. Because the roles of gender are taken from the society that plays a root cause for inequality though women are educated.

While the past few decades have seen an improvement in the treatment of females in classroom methods and curricular materials, it would be premature to declare victory and dismiss issues of gender bias. Today, our girls and boys remain the victims of gender stereotypes in text and resource materials. They are also victims of unintended or sexist behaviors by educators. Often teachers reflect varied expectations for children, based on a student's gender, class, race and ethnicity. Most teachers care deeply about the youngsters in their rooms. They are confident that they treat all their students the same. However, many teachers who analyze their own attitudes and behaviors discover the subtle and pervasive nature of gender inequity in the classroom.

A common response from teachers when asked about gender inequity in classrooms is that they treat all their students the same. There are two problems with this statement. First, students are diverse and have different learning issues, thus treating all students in the same way means that some students will have a better learning experience than their peers. Second, teachers may be ignoring their unconscious gender biases towards their students, their schools and themselves. If ignored, these gender biases, which may have developed from cultural norms, may lead to bias in the classroom.

2.3.2. Gender Bias in Dropouts

There is a gap in enrolment in schools of girl students when compared to boys. The social barriers standing in the way of girls attending schools - poverty, compulsions of older girls in families having to look after the home and siblings, the conception or misconception that girls do not need education and/or that what is taught in schools is irrelevant to them, parents seeing limited (economic) benefits in educating daughters, lack of women teachers and separate schools for girls, supportive facilities (like adequate and clean toilets in schools) and transport facilities to travel to school and back, all these inhibit parents from getting their girls enrolled. Girls have to stay at home once they attain puberty and must be protected till they are married. And they become part of another family, leaving the parental home. Add to this, the commonly held belief that marriage is the be-all and end-all for girls, leading to early marriage and pregnancy. So naturally the son is sent to the school, not the daughter which we call it as gender bias in school enrollment. The school alone cannot be blamed for this pity condition of enrolment.

The above reasons also result in high dropout rates at (upper) primary stage. So there is a gap in retention of girls in schools, even if they enroll at the primary stage. In many places in the rural areas where there are primary schools, there is no scope for studying further as there are no schools having upper primary and secondary sections and girls are not sent to far away schools because of this. Fear of the girl child and vulnerability is often the only reason given. The other factor to be taken into account is that are there enough opportunities for girls to achieve their full potential in the way boys do in the education system. Often there are unrecognized, unintended and unknown biases in the minds of the teachers, administrators and peers in schools, which inhibit girls. For girls in rural areas and from deprived castes, communities and tribes and for handicapped girls, all the above problems are accentuated much more than in the case of boys because of dual or multiple disadvantages. It is well-known that two thirds or more of our women are illiterate and less than half of them are educated up to the primary level.

2.3.3. Gender bias in Household responsibilities

The gender discrimination in schools is an extension of what we think in the family, in society and in the community in which we live. Unless there is camaraderie, dignity and partnership among the members of and within the family, it is difficult to expect the school to create it artificially in the school environment, and to pursue it without reference to what

is happening in society. There has to be a democratic environment in the home for the child to be democratic in his/her lifestyle. Any programme of gender discrimination elimination in educational institutions must take into confidence, the parents and guardians and undoubtedly the teachers (both men and women), for whom there must be continuous programmes orienting them to equality in thought and deed. Persons in the community and the media have to be involved, for the programme touches the lives of children outside of schools. It cannot succeed if pursued in the school alone.

Male and female are two wings of the society. Development of the society is not possible without balance (equal growth, equal development, equal opportunity etc.) between them. Continuous neglect of one is the silent killer of another. Most of the parents do not give equal opportunity to their female child. Though, equal opportunity to all is one of the fundamental rights in India. However, till now females are not getting equal opportunity within the family. Therefore there is a reason behind intrahousehold gender discrimination. The reason is, purely, “selfishness” of the parents.

2.3.4. Social Attitudes towards Girl's Education

The social barriers and social attitudes standing in the way of girls attending schools - poverty, compulsions of older girls in families having to look after the home and siblings, the conception or misconception that girls do not need education and/or that what is taught in schools is irrelevant to them, parents seeing limited (economic) benefits in educating daughters, lack of women teachers and separate schools for girls, supportive facilities (like adequate and clean toilets in schools) and transport facilities to travel to school and back, all these inhibit parents from getting their girls enrolled. Girls have to stay at home once they attain puberty and must be protected till they are married. And they become part of another family, leaving the parental home. Add to this, the commonly held belief that marriage is the e-all and end-all for girls, leading to early marriage and pregnancy. So naturally the son is sent to the school, not the daughter.

There are two extreme types of parental and social attitude / behavior- perfect altruistic and perfect capitalistic (or selfishness). If parents are perfectly altruistic about their child then both the types of child are equally welcome in the family. The share of the family cake will be identically equal for both male and female child. Investment for human capital accumulation will be same for both the types of child. If parents are altruistic then social norm has no influence on behavior of the parents towards their child. On the other hand, if

parents are perfectly capitalistic then they try to get what can give maximum returns. Then they always try to invest on that very project from where they can get maximum returns. In India social norm sets male child remain with the parents when female child goes to second home (husband home) after marriage. Therefore parents (when child matures) can get the returns from male child but not from the female child, due to social norm. Therefore as a rational capitalist, parents welcome only male child. As human capital is the potential of earning, parents invest only on the male child for human capital accumulation. They do not spend anything on their girl child rather they assign some duties so she herself covers spending on her food. Therefore if parents are perfectly capitalistic then ex-anti outcome is- parents welcome only male child in the family. However sex of the new born child is determined by the invisible hand. Therefore ex-post outcome is girl child labour and education to male.

2.3.5. Value accorded to Women's Education

Women of present is much liberated than the past. The statue of woman has undergone a great change today. They are making sincere efforts to rise in all spheres of life. Women have proved to be more responsible and work with great dedication. No country can achieve development without educating her women. The education of women is as important as that of men. It can even be said that educating women is of greater importance. If we educate a woman, we educate a family. An educated woman can perform her duties with great efficiency. She can run her family in a better manner and can help her children in their studies also. Moreover, if a woman is educated she is treated with respect. She has not to lead a life of dependence on men, since she can earn her own living (bread and butter). Education fills her with confidence and she is able to win her due place in society.

Today, government has become aware that female education is as important as that of men. A Sanskrit shaloka says that "a woman is under the guardianship of her father before marriage dependent on her husband after her marriage and on her son after the death of her husband." But this attitude of treating a woman as a ward or a dependent has been in existence for centuries. But now all these have changed. With the spread of education women have now begun to claim equality with men.

Women education has given a number of opportunities. Today, more and more woman is taking up jobs. The time has come when they are working for their enlistment.

They are now making sincere efforts to rise themselves in all spheres of life. The Indian constitution has also granted full equality to women with men. A women of present is much liberated than a women of past. Many male bastions have been broken by women who are now pilots, scientists, engineers, astronauts and so on. Besides holding various vital posts in offices, women are even today known for their gentleness, pleasing manners and docility. The statue of woman has undergone a great change today. Earlier women were confined to the houses only, but now they do work shoulder to shoulder with men in every sphere of human activity.

Today, women have proved to be more responsible and work with great dedication. They do more work than men though they have a physical weakness which is god given. Today, they are raising their voice for reservation of seats not only in colleges and offices, but also in the parliament.

Check Your Progress - 1

Note:

- Tick mark the right answer in case of questions (i) and write your answer in the space given below in the question (ii) & (iii)
- Compare your answers with those given at the end of the units.

(i) Male and female are of the society

- Two Wings
- Two Fires
- Two Fate
- Two Fact

(ii) What do you mean by Gender Bias?

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(ii) What do you mean by Dropout?

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2.4. ISSUES RELATED TO GENDER IN SCHOOL

The socialization of gender within our schools assures that girls are made aware that they are unequal to boys. Every time students are seated or lined up by gender, teachers are affirming that girls and boys should be treated differently. When an administrator ignores an act of sexual harassment, he or she is allowing the degradation of girls. When different behaviors are tolerated for boys than for girls because 'boys will be boys', schools are perpetuating the oppression of females. There is some evidence that girls are becoming more academically successful than boys, however examination of the classroom shows that girls and boys continue to be socialized in ways that work against gender equity. Teachers socialize girls towards a feminine ideal. Girls are praised for being neat, quiet, and calm, whereas boys are encouraged to think independently, be active and speak up. Girls are socialized in schools to recognize popularity as being important, and learn that educational performance and ability are not as important. In this way lot of issue creating a gender bias in schools. In this section focuses on some of the issues related to gender in school.

2.4.1. Sexual Abuse

Abuse is defined as “to ill-use, to misuse, or to insult.” Adults use children to meet their own sexual needs and gratification this includes intercourse, oral sex, fondling. Also the showing of or taking part in pornographic pictures or videos. Sexual abuse or assault, as defined in the Sexual Assault Prevention and Response Program Manual, is intentional sexual contact, characterized by use of force, threats, intimidation, abuse of authority or when the victim does not or cannot consent. Sexual abuse or assault includes rape, forcible sodomy and other unwanted indecent contact (e.g., kissing against another person’s will) that is aggravated, abusive or wrongful (to include unwanted and inappropriate sexual contact), or attempts to commit these acts.

Physical Indicators	Behavioral Indicators
<ul style="list-style-type: none"> • Itching or pain in the genital area • Vaginal discharge • Infection • Anal bleeding • Pregnancy 	<ul style="list-style-type: none"> • Eating disorders • Fear of someone • Changes in attitude • Self-harm or suicide attempts • Becomes aggressive

Child sexual abuse is a form of child abuse in which a child is abused for the sexual gratification of an adult or older adolescent. It includes direct sexual contact, the adult or otherwise older person engaging indecent exposure (of the genitals, female nipples, etc.) to a child with intent to gratify their own sexual desires or to intimidate or groom the child, asking or pressuring a child to engage in sexual activities, displaying pornography to a child, or using a child to produce child pornography. Effects of child sexual abuse include shame and self-blame, depression, anxiety, post-traumatic stress disorder, self-esteem issues, sexual dysfunction, chronic pelvic pain, addiction, self-injury, suicidal ideation, borderline personality disorder, and propensity to re-victimization in adulthood. Child sexual abuse is a risk factor for attempting suicide. Much of the harm caused to victims becomes apparent years after the abuse happens. Sexual abuse by a family member is a form of incest, and results in more serious and long-term psychological trauma, especially in the case of parental incest.

2.4.2. Sexual Harassment

Harassment is conduct, gestures or comments which are insulting, intimidating, humiliating, hurtful, malicious, degrading or otherwise offensive to an individual or group of individuals, and which create a hostile or intimidating environment for work or sports activities, or which negatively affect performance or work conditions.

Sexual harassment is a form of prohibited harassment. It is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: Submission to such conduct is made either implicitly or explicitly a term or condition of employment. Submission to or rejection of such conduct is used as a basis for employment decisions. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. This definition also encompasses unwelcome display or communication of sexually offensive materials.

Examples of Sexual Harassment

- Verbal comments
- Obscene or sexually explicit media contact
- Non-verbal actions
- Physical touching
- Unwanted requests to perform sexual acts or sexual favors

Sexual harassment may occur in a variety of circumstances in workplaces as varied as factories, school and academia. Often, but not always, the perpetrator is in a position of power or authority over the victim (due to differences in age, or social, political, educational or employment relationships) or expecting to receive such power or authority in form of promotion. Forms of harassment relationships include:

- The perpetrator can be anyone, such as a client, a co-worker, a parent or legal guardian, relative, a teacher or professor, a student, a friend, or a stranger.
- The victim does not have to be the person directly harassed but can be a witness of such behavior who finds the behavior offensive and is affected by it.
- The place of harassment occurrence may vary from school, university, workplace and other.
- There may or may not be other witnesses or attendances.
- The perpetrator may be completely unaware that his or her behavior is offensive or constitutes sexual harassment or may be completely unaware that his or her actions could be unlawful.
- The incident can take place in situations in which the harassed person may not be aware of or understand what is happening.
- The incident may be one time occurrence but more often it has a type of repetitiveness.
- Adverse effects on the target are common in the form of stress and social withdrawal, sleep and eating difficulties, overall health impairment, etc.
- The victim and perpetrator can be any gender.
- The perpetrator does not have to be of the opposite sex.

2.4.3. Perception of safety at School, Home and Community

Schools: Schools are at the frontline of child protection since they have the potential to both teach protective behaviors effectively and to a greater number of children than any other system, including parental instructions. This is because a large part of the truly "awake" time of a child's waking hours are spent at school. Besides educators have a special role in combating child sexual abuse, as they possess the knowledge, training and opportunity to observe and respond to children's behaviour and physical conditions over a period of time. Additionally, because of the close daily contact they are in a unique position

to identify these children who need help and protection. The following way schools should prevent the child abuse in their circumstances.

- Ensure teachers, volunteers and anyone else with access to children is properly screened and trained
- Implement and enforce a policy for reporting child sexual abuse and handling disclosures from children
- Establish protocols and screening for school computer use. Provide training to students and teachers on acceptable use of computers
- Assess your environmental structure and take every possible step to make it safer for children
- Make certain campus security is in place so that all visitors are screened through the office and the unusual incidents/visitors are handled.
- Provide programmes and roles for parents to make them a part of their children's safety and security at school and while going to and from school
- Choose or develop child-safety programs for the school that are based on accepted educational theories, are appropriate for the child's age and levels of education and development, and are designed to offer concepts that will help children build self-confidence in order to better handle and protect themselves in all types of situations. Use multiple program components that are repeated several years and use qualified presenters who include role-playing, behavioral rehearsal, feedback and active participation in presentations
- Safety planning and design for women and girls is important because it creates public spaces where women and all users have equal opportunity to be healthy, secure and happy. This kind of planning is based on the fact that the physical design of urban spaces affects women's use and enjoyment of the public realm.
- Safety planning and design for
- For girls around the world, exercising their right to education can be full of risk. They are at risk from violence on the journey to and from school and in the classroom itself. This violence may take the form of aggressive sexual behaviour, intimidation and physical assault by boys, sexual advances by male students and teachers, corporal punishment and verbal abuse.

Home: As a parent, you are the most important adult in your child's life and to whom your child looks up. We understand that you care for your children and while concerned about their safety, unfortunately cannot always ensure it. But you can equip them with information and skills to build self-protective behavior. The most important factor for your children's protection is a strong self-esteem. Let them know how important they are to you. Be available when they need to talk. Be honest and open with them when they ask difficult questions. And always believe what your child tells you, no matter how unbelievable or difficult to believe it is. Talking about child sexual abuse with your child may seem difficult, but the possible consequences of not talking with your child are even worse - that they may be sexually abused and not know where to turn for help. The following are some of the preventive safety in our children life.

- **Encourage kids to talk about their day:** Children cannot be expected to understand when it is okay to say "no" to or run away from an adult. This would be too confusing. Instead, build trust by regularly talking to them about their day. Make them feel comfortable raising any topic. Then, if your kids report any unacceptable behavior by others to you, it is your responsibility to take action.
- **Become educated on sexual abuse:** Get familiar with the facts. It is vital for you to educate yourself about sexual abuse.
- **Look for "Red Flags.":** Sex offenders often "groom" parents and children to gain their trust. They can be very slick and fool you into thinking they are trustworthy, but there is always a "red flag" that is just a little bit unusual. For instance, if an adult has many toys and video games in his house and several local kids go there every day, this is a possible red flag. If he doesn't seem to have any adult friends or activities, this is a bigger red flag. Check this person out. Have a conversation with him, if possible. If he is on the sex offender registry, report him to the authorities.
- **Know where your children are and who they are with at all times:** Know your children's friends and their parents. Make sure they are reliable before you allow your child to spend time at their house.
- **Teach children that the danger may come from someone they trust:** Tell your kids, "Bad touch is bad touch and no one gets to do it to our bodies. If anyone does bad touch, you go to a grown up for help. When you are not sure about whether something a grown up is doing is okay, ask another grown up to help you."

Community: Community also influences lot the development of surrounding children's growth. The following are some of roles of community to prevent the child abuse.

- **Know.** Learning more about child rights and child sexual abuse can help you ensure the safety of children in your family, your neighborhood and your community
- **Talk.** Talk to your colleagues, friends, relatives and family about the problem. Help break the silence around child sexual abuse.
- **Observe.** Be alert to the behavioral and physical indicators of sexual abuse in children. Don't just hear children's voices Listen to them.
- **Help.** If you suspect a child of being abused, assist the child.
- **Advocate.** Ask your child's school to incorporate personal safety curriculum and to implement a school child protection policy.
- **Involve.** Volunteer your time and resources to organizations working against child sexual abuse.

2.4.4. Adult and Non-Formal Education for Women's development

Adult education is a practice in which adults engage in systematic and sustained self-educating activities in order to gain new forms of knowledge, skills, attitudes, or values. It can mean any form of learning adults engage in beyond traditional schooling, encompassing basic literacy to personal fulfillment as a lifelong learner. In particular, adult education reflects a specific philosophy about learning and teaching based on the assumption that adults can and want to learn, that they are able and willing to take responsibility for that learning, and that the learning itself should respond to their needs. Driven by what one needs or wants to learn, the available opportunities, and the manner in which one learns, adult learning is affected by demographics, globalization and technology. The learning happens in many ways and in many contexts just as all adults' lives differ. Adult learning can be in any of the three contexts, i.e.

- **Formal:** Structured learning that typically takes place in an education or training institution, usually with a set curriculum and carries credentials;
- **Non-formal:** Learning that is organized by educational institutions but non credential. Non-formal learning opportunities may be provided in the workplace and through the activities of civil society organizations and groups;

- **Informal Education:** Learning that goes on all the time, resulting from daily life activities related to work, family, community or leisure (e.g. community baking class).

Non-formal Education is organized (even if it is only loosely organized), may or may not be guided by a formal curriculum. This type of education may be led by a qualified teacher or by a leader with more experience. Though it doesn't result in a formal degree or diploma, non-formal education is highly enriching and builds an individual's skills and capacities. Continuing education courses are an example for adults. Girl guides and boy scouts are an example for children. It is often considered more engaging, as the learner's interest is a driving force behind their participation. Non-formal learning activities are frequently based on private initiatives by non-governmental organisations (NGOs). Non-formal adult education comprises:

- Independent non-formal educational activity: evening schools and voluntary activity in associations
- University extension courses
- Day folk high schools
- Private independent boarding schools (folk high schools, home economics schools, arts and crafts schools, and continuation schools)

In many developing and underdeveloped countries, education of women and girls poses a serious problem. At the primary level more drop-outs are girls because of superstition (a belief in supernatural influences) and the belief that girls need no education as boys, a discriminatory attitude. Both factors all go to add to the seriousness of the problem. In India it is believed that the place of a woman is at home and even if they work outside in fields, in factories or in offices, their work is lowly paid. Though the attitude is changing of late, it has not eradicated the problem of literacy, which is greater among girls and women when compared to boys and men. So this is another area which falls within the scope of Adult Education and Non-Formal Education (N.F.E.). Only Adult Education and Non-Formal Education system can meet these challenges.

Government of India, through five year plans has made special efforts to improve literacy, adult education, women's education particularly in rural areas. The plan observed that adult education is an integral part of the revised Minimum Need Programmes which is (a) to reach the poor directly, (b) to implement it through co-ordination with other departments and (c) to make it as an essential facet of planning. Illiteracy, ignorance and

superstition are very high among women. Non-Formal Education removing these and widen their mental horizon and to develop social and productive skills, through better use of their leisure leading to self-employment or some gainful employment outside the home. Social desirability is seen in developing correct social values, attitudes and habits. Condemning exploitation of children and women and promoting literacy are also socially desirable virtues. Non-Formal Education contents for self-development promote socially desirable values, attitudes and practices.

2.4.5. Importance of vocational training and income generation for women

Education and training are essential components of any strategy to improve agricultural and non-farm productivity and rural incomes. Learning about improved production technologies and methods, new products and markets, business skills, as well as life skills (such as health management, decision-making, self confidence, or conflict management) can make a big difference for many of the rural poor, particularly the women folk. Women often have different training needs than men since they are more likely to work as contributing family workers, subsistence farmers, home-based micro-entrepreneurs, or low-paid seasonal labourers, in addition to handling their domestic work and care responsibilities.

Even within agriculture, the gender division of labour for managing or undertaking specific tasks in crop, livestock or fish production and processing, generates different technical and managerial training needs for men and women. Self-employed women are not regarded as entrepreneurs in many rural communities and thus have difficulty accessing entrepreneurship development training and services. Environmental degradation and climate change pose threats to subsistence farming and call for new technologies, alternative crops or growing processes – which demand new skills. It is said that climate change affects women and men differently and their skills needs may thus also differ. Skills development is a key to improving household productivity, employability and income-earning opportunities for women and also for enhancing food security and promoting environmentally sustainable rural development and livelihoods. Vocational Education and Training (VET) is important as it enriches a person for life and it provides the competencies which are necessary in a democratic society. Rural women are more benefitted if they can make use of the available opportunities in vocational education and training. A few examples to mention are:

- The women will get more employment opportunities and improve their daily lives.
- It promotes income generation and employment opportunities for disadvantaged women and men by providing them with skills and knowledge they can use in their communities. Its strategy involves planning with local partner institutions;
- It also generated greater respect for women in the community.
- It is an opportunities to adopt new technologies and production practices.

Rural women's access to education and training can have a major impact on their potential to access and benefit from income-generating opportunities and improve their overall well-being. A variety of approaches, including non-formal education, technical and vocational training, agricultural extension services, workplace training, training in new technologies and literacy and numeracy training are needed to address the various challenges rural women face. In addition, information and communication technologies supported by the right policies and institutional frameworks, can provide rural women with alternative avenues to access information related to their rights, services and resources, and social protection.

Check Your Progress - 2

Note:

- Tick mark the right answer in case of questions (i) and write your answer in the space given below in the question (ii)
- Compare your answers with those given at the end of the units.

(i) What is the expansion of NGO? EST. 2008

- Non-Genuine Organisations
- Non-Governmental Organisations
- Nil-Governmental Organisations
- Non-Governmental Option

(ii) What do you mean by Sexual Harassment?

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2.5. GENDER EQUALITY

Gender equality, also known as sex equality, gender egalitarianism, sexual equality, or equality of the genders, is the view that everyone should receive equal treatment and not be discriminated against based on their gender. Gender equality is achieved when women and men enjoy the same rights and opportunities across all sectors of society, including economic participation and decision making, and when the different behaviours, aspirations and needs of women and men are equally valued and favoured. The following sections deals about the roles of various stakeholders in reinforcing gender equality in the school environment.

2.5.1. Role of Schools in reinforcing gender equality

The gender inequities pervading society are carried into the school environment. This is evidenced in school processes such as teaching, teacher–student interaction, school management, and the plan and design of the physical infrastructure. Teaching and learning materials, for example, may contain gender stereotypes. Teachers are not always aware of the gender specific needs of both girls and boys. School management systems may not sufficiently address gender constraints such as sexual harassment, and many schools do not have adequate or separate toilets for girls and boys. As a result, the schools do not provide a gender responsive environment for effective teaching and learning to take place. In order to arrive at such a school, a holistic approach involving various interventions is required. The holistic intervention package can include the following elements:

- Undertaking gender sensitization of parents, community leaders and members, teachers, girls and boys in order to raise their awareness and understanding of the need to support girls' education.
- Training teachers in the skills for making teaching and learning processes responsive to the specific needs of girls and boys.
- Empowering girls with skills for self-confidence, assertiveness, speaking out, decision making and negotiation in order for them to overcome gender-based constraints to their education.
- Empowering boys with skills to de-link from gender oppressive attitudes and practices such as macho-ism, bullying and sexual affronts and to develop the self-confidence needed to accept gender equality positively.

- Training the school community to manage sexual maturation issues of both girls and boys with particular emphasis on menstruation management.
- Training teachers and students in guidance and counselling skills.
- Establishing guidance and counselling desks in order to provide services for the social and psychological development of girls and boys.

The following are some of ideas to promoting gender equity in schools.

- Establish an award to recognize children who promote equity
- Do a play about gender equity in school
- Write an equity column or article in the paper
- Organize a walk, race, or athletic event for equity
- Honor people who foster gender equity in their work and life spirit
- Develop posters that promote equity
- Create a videotape on gender equity
- Reformulate or construct an equitable workplace
- Monitor a school or district for equity
- Award a gender equity scholarship
- Present an equity workshop at a conference
- Observe classrooms to detect bias in interactions
- Manage an equity booth at a toy, computer, or grocery store

2.5.2. Role of Peers in reinforcing gender equality

Like teachers, peers contribute to the socialization of gender difference via multiple Pathways. Upon entering school, children encounter large numbers of peers, many of whom model traditional gender behaviour, producing and reinforcing the content of gender stereotypes. In addition, schools are characterized by gender segregation. When many peers are available, children tend to select same-sex playmates. Children's gender segregation, in turn, affects their play experiences, leading them to spend more time in stereotypic play. Furthermore, gender segregation predicts children's future conformity to gender stereotypes. Peers also contribute to gender differentiation by teaching their classmates stereotypes (e.g. "Short hair is for boys not girls") and punishing them for failing to conform to stereotypes via verbal harassment and physical aggression. Importantly, intervention programs can teach young children to recognize and challenge their peers' sexist remarks (e.g., "You can't say girls can't play!"). Peer group influence begins in

preschool and continues as children progress through school and expand their social world. This influence reinforces activities involved in play, academic success, popularity, body image, and dress and continues throughout the life cycle.

2.5.3. Role of Teachers in reinforcing gender equality

Teachers play a crucial role in every classroom. They are the actors who shape the success or failure of their students. Their interpretation of the curriculum, interaction with learners, and way they assign duties and homework, are important factors in a child's schooling. The following are some of the role of teachers to reinforcing gender equality

- Teachers and teacher educators should examine their syllabuses with the view of incorporating a gender dimension by: including the introductory themes on gender; and by exploring gender issues within some of the topics of existing syllabus.
- Teacher educators themselves be gender sensitive through gender awareness and sensitization programmes.
- Teacher educators and teachers should employ engendered patterns of classroom organisation and interaction, and
- Teacher educators and teachers should engendered teaching approaches be employed.
- Capacity building centres should be established in all educational regions intended to train teachers and teacher educators in gender-laden education.
- Teachers and teacher educators should : a) conducting workshops, b) introducing engendered classroom organisation and interaction; c) introductory lessons on gender; d) focus on gender issues within the existing syllabus topics; e) introducing gender issues career guidance; f) analysing gender issues in instructional materials and g) conducting research projects on gender issues.

2.5.4. Role of curriculum and textbooks in reinforcing gender equality

In schools and colleges, the curriculum is usually full, which means it is not easy to integrate a gender equity perspective in the design, content and teaching approaches of the many subjects that teachers may have to cope with. Moreover, curricula are often developed by experts and owned' by the state, so it is difficult to lobby for change where this might be seen to challenge governmental control. But, where diversity is recognized and participatory processes are employed, women and girls from different backgrounds can participate in

discussions about curricula decisions and how they are represented — considering that they are diverse groups. When considering how teaching and the curriculum can be made gender- equitable, the following areas need attention.

- **Curriculum Content:** There is need to consider what girls from poor, and marginalized environments, are offered by their schooling, and to provide, for example, literacy learning in a way that enhances their confidence, so that they can begin to transform their lives.
- **Learning Methods:** Often, images in textbooks are simply ‘check-listed for their portrayal of gender images. Children do not necessarily have simplistic, preconditioned responses to images in textbooks, and need a more sophisticated understanding of and response to how children learn about gender textbooks.
- **Language of Instruction and Literacy:** Children who are geographically or culturally marginalized from mainstream education may find themselves being taught in a language that they do not use. Girls and women often have less access to, and use of national “prestige” language than men.
- **Methods of Evaluation and Assessment:** Examinations tend to dominate assessment, but other methods should be used, such as continuous assessment. In addition, “girls could have more equal opportunities in school if teachers talk to them more and encourage them, for instance by giving them more prizes for participating in different classroom activities”. For teaching and the curricula to be gender equitable in schools, it is important to properly educate teachers on gender quality teaching through the courses and practical materials that are provided.

The curriculum, and ways of teaching and learning, can reproduce ideas and practices marked by gender inequality. Gender inequalities and wider social, political and economic inequalities, can influence the access that girls and boys have to different parts of the curriculum. Teachers’ awareness of, and approaches to gender issues in teaching and learning, are crucial if gender-equitable education is to be achieved. Curriculum content, the relationship between teachers and students, and teacher-education, require special attention and policy development if gender-equitable education is to be achieved. Government and other relevant stakeholders:

- Ensure that curriculum development involves consultation at all levels of society about gender equality, and what decisions mean for women and girls, especially

those who may be marginalized because of language, social practice or environmental degradation.

- Develop and implement government-agreed standards for quality and equality in education.
- Ensure that there are strong legal measures to outlaw sexual violence and harassment in schools, with clear procedures for dealing with abuse, which are widely communicated.
- Ensure that training in gender equality is included in the teacher- education programme, both in preservice training and in-service school-based, college-based training or university-based training.
- Develop capacity and role of the inspectorate and gender units to support gender equality in the classroom at all levels of educational institutions
- Assess the planning and budgeting processes, and ensure that officials at all levels of education have the capacity to implement them. Put in place any necessary training required to achieve this.

Check Your Progress - 3

Note:

- c) Write your answer in the space given below
- d) Compare your answer with those given at the end of the unit.

(iv) What do you mean by Gender Equality?

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(v) List out the any five ways to promoting gender equality in schools.

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2.6. LET US SUM UP

While the past few decades have seen an improvement in the treatment of females in classroom methods and curricular materials, it would be premature to declare victory and dismiss issues of gender bias. Today, our girls and boys remain the victims of gender stereotypes in text and resource materials. They are also victims of unintended or sexist behaviors by educators. Often teachers reflect varied expectations for children, based on a student's gender, class, race and ethnicity. Most teachers care deeply about the youngsters in their rooms. They are confident that they treat all their students the same. However, many teachers who analyze their own attitudes and behaviors discover the subtle and pervasive nature of gender inequity in the classroom. As a writer of this unity, I hope this unit very much beneficial for the prospective teachers to understand the gender bias in the classroom setting.

2.7. UNIT-END ACTIVITIES

1. Define: Gender bias and discuss its impact on school enrollments, dropouts and household responsibilities.
2. Write short notes on issues related to gender in school
3. Describe the importance of vocational training and income generation for women
4. Describe the role of schools, peers, teachers and curriculum in challenging gender inequalities
5. Write an essay on empowerment of women's through adult education and non-formal education.

2.8. ANSWERS AS CHECK YOUR PROGRESS

1. (i) A

(ii) **Gender Bias:**

Gender bias is a preference or prejudice toward one gender over the other. Gender bias can be subtle or overt, and can result in small or large consequences. Gender bias can be a legitimate basis for a lawsuit under anti-discrimination statutes. Gender bias is behavior that shows favoritism toward one gender over another. Gender bias occurs when people make assumptions

regarding behaviors, abilities or preferences of others based upon their gender.

(iii) **School Dropout:**

Dropping out means leaving a school, college, university or group for practical reasons, necessities, or disillusionment with the system from which the individual in question leaves.

2. (i) B

(ii) **Sexual Harassment:**

Sexual harassment is a form of prohibited harassment. It is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: Submission to such conduct is made either implicitly or explicitly a term or condition of employment. Submission to or rejection of such conduct is used as a basis for employment decisions.

3. (i) **Gender Equality:**

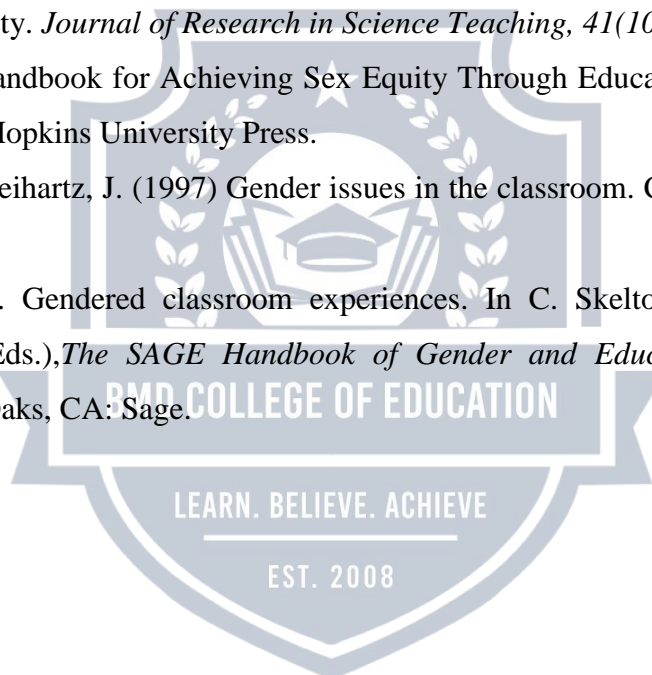
Gender equality is achieved when women and men enjoy the same rights and opportunities across all sectors of society, including economic participation and decision making, and when the different behaviours, aspirations and needs of women and men are equally valued and favoured. The following sections deals about the roles of various stakeholders in reinforcing gender equality in the school environment.

(ii) **Ways to promoting gender equality in schools:**

- Establish an award to recognize children who promote equity
- Do a play about gender equity in school
- Write an equity column or article in the paper
- Organize a walk, race, or athletic event for equity
- Honor people who foster gender equity in their work and life spirit
- Develop posters that promote equity

2.9. SUGGESTED READINGS

- Annual Report: (2008). Ministry of Human Resource Development, Department of Education, India.
- Chappell, C. (2003). "Researching Vocational Education and Training: Where to From Here?" *Journal of Vocational Education and Training*, 55 (1), 21-32.
- Gender Identity Tobin, K., & Gallagher, J. J. (1987). The role of target students in the science classroom. *Journal of Research in Science Teaching*, 24(1), 61–75.
- Jones, K., Evans, C., Byrd, R., Campbell, K. (2000) Gender equity training and teaching behavior. *Journal of Instructional Psychology*, 27 (3), 173-178.
- Kahle, J. B. (2004). Will girls be left behind? Gender differences and accountability. *Journal of Research in Science Teaching*, 41(10), 961–969.
- Klein, S. (1985) Handbook for Achieving Sex Equity Through Education. Baltimore, MD: The Johns Hopkins University Press.
- Marshall, C.S. & Reihartz, J. (1997) Gender issues in the classroom. *Clearinghouse*, 70 (6), 333-338.
- Renold, R. (2006). Gendered classroom experiences. In C. Skelton, B. Francis, & L. Smulyan (Eds.), *The SAGE Handbook of Gender and Education* (pp. 439–452). Thousand Oaks, CA: Sage.



UNIT III

GENDER AND SOCIETY

Structure

- 3.1. Introduction
- 3.2. Objectives
- 3.3. History and Current Scenario of Indian Women
 - 3.3.1. Concept of Patriarchy and Matriarchy
 - 3.3.2. Issues related to Indian Women
 - 3.3.3. Gender roles in society through variety of institutions
 - Family
 - Caste
 - Religion
 - Culture
 - Media and popular culture (films, advertisements etc)
 - Law and State
- 3.4. Issue related to women/girl child
 - 3.4.1. Female foeticide and infanticide
 - 3.4.2. Sex Ratio
 - 3.4.3. Sexual Harassment of women at work place
 - 3.4.4. Honour Killing
 - 3.4.5. Dowry
 - 3.4.6. Child Marriage
 - 3.4.7. Property Rights
 - 3.4.8. Divorce
 - 3.4.9. Widowhood
 - 3.4.10. Identification of Sexual abuse / violence and its verbalization
- 3.5. Let Us Sum Up
- 3.6. Unit- End Activities
- 3.7. Answers as check your progress
- 3.8. Suggested Readings

“If you educate a man you educate an individual,
 however, if you educate a woman you educate a whole family.
 Women empowered means mother India empowered”.
 PT. Jawaharlal Nehru

3.1. INTRODUCTION

The status of women in the Indian society has been a complicated one. It passed through fluctuations through the ages. While it was high during the Vedic period, it slumped in the Post -Vedic period. Again, in the modern period, it rose. During the Vedic period, the women enjoyed a high position and equal status with men. But in the Post- Vedic period their status deteriorated and their position improved so as to be equal to that of men in the society. Women education in India has also been a major preoccupation of both the government and civil society as educated women can play a very important role in the development of the country. Education is milestone of women empowerment because it enables them to responds to the challenges, to confront their traditional role and change their life. Women Education is the only way to remove the gender discrimination in the society. This unit deals the history and current scenario of Indian Women. This unit provides a lot of input related to various issues of women and girl child.

3.2. OBJECTIVES

After going through this unit, you will be able to:

- discuss the history and current scenario of Indian women
- define and discuss the concept of Patriarchy and Matriarchy
- analysis the various issues related to Indian women
- describe the gender roles in society through variety of institutions
- explain the issues related to female infanticide and foeticide
- describe the problems related to sex ratio and sexual harassment
- discuss the women issues related to honour killing, dowry and child marriage
- debate the property rights, sexual abuse, widowhood against women.

3.3. HISTORY AND CURRENT SCENARIO OF INDIAN WOMEN

Medieval India was considered the "Dark Ages" for Indian women. Medieval India saw many foreign conquests, which resulted in the decline in women's status. When foreign conquerors like the Mughals and the British invaded India they brought with them their own culture, which in some cases adversely affected the condition of women and in some cases emancipated them. Over the ages in India women have been treated as the sole property of her father, brother or husband, not been given any choice or freedom of her own. All this gave rise to some new evils such as Child Marriage, Sati, Jauhar and restriction on girl education.

Sati: The ritual of dying on the funeral pyre of the husband is known as "Sati" or "Sahagaman". According to some of the Hindu scriptures women dying on the funeral pyre of her husband go straight to heaven so it's good to practice this ritual. Initially it was not obligatory for the women but if she practiced such a custom she was highly respected by the society.

Jauhar: It is also more or less similar to Sati but it is a mass suicide. Jauhar was prevalent in ancient Rajput societies. In this custom wives immolated themselves while their husbands went to perform Saka, i.e face the larger army of the enemy knowing that they will be killed since they are outnumbered. When people of the Rajput clan became sure that they were going to die at the hands of their enemy then all the women arrange a large pyre and set themselves afire, while their husband used to fight the last decisive battle with the enemy. Thus protecting the honour of the women and the whole clan.

Child Marriage: It was a norm in medieval India to get girls married at the age of 8-10. They were not allowed access to education and were trained in house work instead. Child marriage had its own share of problems such as increased birth rate, poor health of women due to repeated child bearing and high mortality rate of women and children.

Restriction on Widow Remarriage: The condition of widows in medieval India was very poor. They were not treated as equals and were subjected to a lot of restrictions. They were supposed to live pious life after their husband died and were not allowed entry in any celebration. Their presence in any good work was considered to be a bad omen. Many widows also had to have their hair shaved off as a mark of mourning. They were not allowed to remarry.

Purdah System: The veil or the 'Purdah' system was widely prevalent in medieval Indian society. It was used to protect the women folk from the eyes of foreign rulers who invaded India in medieval period. But this system curtailed the freedom of women.

Female Education: The girls of medieval India and especially Hindu society were not given formal education. They were given education related to household chores.

Devadasis: It was a custom prevalent in Southern India. In this system girls were dedicated to temples in the name of gods and goddesses. The girls were then onwards known as 'Devadasis' meaning servant of god. These Devadasis were supposed to live the life of celibacy. All the requirements of Devadasis were fulfilled by the grants given to the temples. In temple they used to spend their time in worship of god and by singing and dancing for the god.

Current / Modern Indian Women

The status of women in modern India is a sort of a paradox. If on one hand she is at the peak of ladder of success, on the other hand she is mutely suffering the violence afflicted on her by her own family members. As compared with past women in modern times have achieved a lot but in reality they have to still travel a long way. Women have left the secured domain of their home and are now in the battlefield of life, fully armored with their talent. They had proven themselves. But in India they are yet to get their dues. The sex ratio of India shows that the Indian society is still prejudiced against female. There are 917 females per thousand males in India according to the census of 2011, which is much below the world average of 990 females. There are many problems which women in India have to go through daily, some of which are:

Malnutrition: One of the major causes of malnutrition among Indian women is gender inequality. In many parts of India, especially rural India, women are the ones who eat last and least in the whole family. This means they eat whatever is left after the men folk are satiated. As a result most of the times their food intake does not contain the nutritional value required in maintaining the healthy body. In villages, sometimes women do not get to eat a whole meal due to poverty.

Poor Health: Malnutrition results in poor health of women. The women of India are prejudiced from birth itself. They are not breastfed for long. In the want of a son get pregnant as soon as possible which decreases the caring period to the girl child, whereas male members get adequate care and nutrition. Women are not given the right to free movement that means that they cannot go anywhere on their own if they want and they have to take the permission of male member of family or have to take them along. This means that women miss visiting doctors even when they should, which adds to their poor health.

Maternal Mortality: The maternal mortality rate in India is among highest in the world. As females are not given proper attention, which results in the malnutrition and then they are married at an early age which leads to pregnancies at younger age when the body is not ready to bear the burden of a child. All this results in complications, which may lead to gynecological problems, which may become serious with time and may ultimately, lead to death.

Lack of Education: In India women's education never got its due share of attention. From medieval India women were debarred from the educational field. According to medieval perception women need just household education and this perception of medieval

India still persists in villages of India even today. Girls are supposed to fulfill domestic duties and education becomes secondary for them whereas it is considered to be important for boys. Although scenario in urban areas has changed a lot and women are opting for higher education but majority of Indian population residing in villages still live in medieval times. The people of villages consider girls to be curse and they do not want to waste money and time on them as they think that women should be wedded off as soon as possible.

The main reason for not sending girls to school is the poor economic condition. Another reason is far off location of schools. In Indian society virginity and purity is given utmost importance during marriage and people are afraid to send their girl child to far off schools where male teacher teach them along with boys. The lack of education is the root cause for many other problems. An uneducated mother cannot look after her children properly and she is not aware of the deadly diseases and their cure, which leads to the poor health of the children. An uneducated person does not know about hygiene this lack of knowledge of hygiene may lead to poor health of the whole family.

Mistreatment: In India violence against women is a common evil. Not just in remote parts but even in cities women bear the brunt. They are subjected to physical and mental violence. They are the one who work most but are not given their due. Every hour a woman is raped in India and every 93 minutes a woman is burnt to death due to dowry problem.

Overworked: Indian women work more than men of India but their work is hardly recognized as they mainly do unskilled work. Their household chores is never counted as a work, if a woman is working in a field to help her husband it will also be not counted as a work.

Lack of power: In India a large percentage of women do not have power. They cannot take decisions independently not even related to their own life. They have to take permission of male members for each and every issue. They don't have any say in important household matters and not in matter of their own marriage.

Marriage: The family mainly fixes the marriages in India. The scenario in villages is very bad. The girl is not consulted but is told to marry a groom whom her family has chosen for him. They are taught to abide by the whims and fancies of their husbands. Going against the wishes of husband is considered to be a sin. In marriage husband always has the upper hand. The groom and his parents show as if they are obliging the girl by marrying her and in return they demand hefty dowry.

Dowry: Another serious issue in modern India. Courts are flooded with cases related to death due to dowry harassment by husband and in laws. Nowadays parents have to give hefty amount in dowry, the in laws of their girl are not concerned whether they can afford it or not. If a girl brings large amount of dowry she is given respect and is treated well in her new home and if she does not bring dowry according to expectations of her in laws then she has to suffer harassment. Due to this evil practice many newly wed women of India have to lose their lives.

Female infanticide/foeticide: Today with the help of technology the sex of the unborn baby is determined and if it is a girl child then it is aborted. In all this procedure women do not have any say they have to do according to the wish of their husbands even if she does not want an abortion, she has no choice.

Divorce: The divorce rate in India is not so high compared to western countries but that does not mean that marriages are more successful here.

Though there are problems in the lives of Indian women but they are always ready to fight all the odds and enjoy their life to the full they have their own talent, hobbies, and they socialize according to Indian customs.

3.3.1. Concept of Patriarchy and Matriarchy

Patriarchy

Patriarchy is a social system in which males hold primary power and predominate in roles of political leadership, moral authority, social privilege, and control of property. In the domain of the family, fathers hold authority over the women and children.

A patriarchal system is a social system in which the father is the head of the household. This, however, is not confined to the household alone. It can be extended to the entire society where males dominate in all social, political, economical, legal and cultural roles. For instance, in most patriarchal societies women were very much confined to the domestic sphere, where they were completely cut off from the realities of the society.

Let us take some examples to clarify the way in which patriarchy is evident in our daily life.

- When a man raises his voice in the course of an argument and insists on his point of view, without letting others especially women get to utter a single word, his actions are likely to be described as “aggressively patriarchal”.

- If a women complains of sexual harassment at her work place, and all the men in her office deny that this could ever happen. The reasoning of men can be described as being “typically patriarchal”.

Matriarchy

Matriarchy is a social system in which females hold primary power, predominate in roles of political leadership, moral authority, social privilege and control of property at the specific exclusion of men, at least to a large degree.

A matriarchal system is a social system in which the mother is the head of the household. In a matriarchal society, the governance of the society is also in the hands of women. When examining the human history, there is very little evidence of matriarchal societies, because most confuse an egalitarian society or matrilineal society to a matriarchal society.

Characters	Patriarchy	Matriarchy
House Hold	Father is the head of the household	Mother is the head of the household
Power	The father has more power and control over others	The mother has more power and control over others
Property	The ownership of property goes to males.	The ownership of property goes to females
Governance	The society is governed by Males	The society is governed by females

3.3.2. Issues related to Indian Women

There are various issues and problems which women generally face in the society in India.

Some of the problems are mentioned and described below:

- **Selective abortion and female infanticide:** It is the most common practice for years in India in which abortion of female fetus is performed in the womb of mother after the fetal sex determination and sex selective abortion by the medical professionals.
- **Sexual harassment:** It is the form of sexual exploitation of a girl child at home, streets, public places, transports, offices, etc by the family members, neighbors, friends or relatives.
- **Dowry and Bride burning:** It is another problem generally faced by women of low or middle class family during or after the marriage. Parents of boys demand a lot of

money from the bride's family to be rich in one time. Groom's family perform bride burning in case of lack of fulfilled dowry demand. In 2005, around 6787 dowry death cases was registered in India according to the Indian National Crime Bureau reports.

- **Disparity in education:** The level of women education is less than men still in the modern age. Female illiteracy is higher in the rural areas. Where over 63% or more women remain unlettered.
- **Domestic violence:** It is like endemic and widespread disease affects almost 70% of Indian women according to the women and child development official. It is performed by the husband, relative or other family member.
- **No property Rights:** Girls have no property rights like boys forever.
- **Child Marriages:** Early marriage of the girls by their parents in order to be escaped from dowry. It is highly practiced in the rural India.
- **Inadequate Nutrition:** Inadequate nutrition in the childhood affects women in their later life especially women belonging to the lower middle class and poor families.
- **Domestic violence and status in the family:** It is the abuse or violence against women.
- **No Military Service:** Women are considered as inferior to men so they are not allowed to join military services.
- **Status of widows:** Widows are considered as worthless in the Indian society. They are treated poorly and forced to wear white clothes.

3.3.3. Gender roles in society through variety of institutions

The behaviors of men and women that are considered socially appropriate are called gender roles. A gender role is a set of societal norms dictating the types of behaviors which are generally considered acceptable, appropriate, or desirable for people based on their actual or perceived sex or sexuality. Gender roles are usually centered on conceptions of femininity and masculinity, although there are exceptions and variations. The specifics regarding these gendered expectations may vary substantially among cultures, while other characteristics may be common throughout a range of cultures.

In the early and mid-20th century, men were considered responsible for taking care of the family financially. They took their jobs as sole providers very seriously. They also had the responsibility for guiding the family. While they may listen to what their wives had

to say, they made the final decisions. Men did not do household duties or childcare. They felt the need to be strong and refrained from showing too much emotion or sharing too many personal feelings, especially with those outside of the family.

Women were expected to be in charge of running the household. Mothers did the laundry, cooked the meals, and cleaned the rooms. They also took care of the children, giving them the care and attention that was required. The wealthier families might hire a nanny, and childcare became more widely used in the later 20th century. But the women were often in charge of directing the nannies and dropping off or picking up from daycare. Women were seen as more emotional than men, more likely and more encouraged to open up about their feelings. While there are many differences today, these patterns of behavior have left an indelible impact on society and our thoughts about men and women.

Family: Gender roles are defined by the socio-cultural norms of any society. In most of the societies the family systems are based on the gender roles and it is the pre-designed gender roles that help members of the family to run the family with bound responsibilities. Even when parents set gender equality as a goal, there may be underlying indications of inequality. For example, when dividing up household chores, boys may be asked to take out the garbage or perform other tasks that require strength or toughness, while girls may be asked to fold laundry or perform duties that require neatness and care. It has been found that fathers are firmer in their expectations for gender conformity than are mothers, and their expectations are stronger for sons than they are for daughters. This is true in many types of activities, including preference of toys, play styles, discipline, chores, and personal achievements. As a result, boys tend to be particularly attuned to their father's disapproval when engaging in an activity that might be considered feminine, like dancing or singing.

Caste: Caste refers to a traditional Hindu model of social stratification, which defines people by descent and occupation. A suffocating patriarchal shadow hangs over the lives of women throughout India. From all sections, castes and classes of society, women are victim of its repressive, controlling effects. Those subjected to the heaviest burden of discrimination are from the Dalit or "Scheduled Castes", known in less liberal democratic times as the "Untouchables". The name may have been banned but pervasive negative attitudes of mind remain, as do the extreme levels of abuse and servitude experienced by women. They experience multiple levels of discrimination and exploitation, much of which is barbaric, degrading, appallingly violent and totally inhumane.

Religion: The main religions of the world all contain certain ideas about the appropriate roles for men and women in society, and traditionally, this has placed women in the home and men in the ‘outside’ world. This holds true even nowadays, where much change is occurring in societies with increasing female labour market participation and changes in attitudes accompanying this. Religions differ to some extent in this regard, but similar normative claims about men’s and women’s roles are present across all denominations. The cultural and religious activities that negatively impacted against the education of the girl child were most found.

Culture: Expectations about attributes and behaviours appropriate to women or men and about the relations between women and men – in other words, gender – are shaped by culture. Gender (like race or ethnicity) functions as an organizing principle for society because of the cultural meanings given to being male or female. Culturally determined gender ideologies define rights and responsibilities and what is ‘appropriate’ behaviour for women and men. They also influence access to and control over resources, and participation in decision-making. These gender ideologies often reinforce male power and the idea of women’s inferiority. Culture is sometimes interpreted narrowly as ‘custom’ or ‘tradition’, and assumed to be natural and unchangeable. Despite these assumptions, culture is fluid and enduring. Dominant cultures reinforce the position of those with economic, political and social power, and therefore tend to reinforce male power. Globalisation also has implications for the diffusion of culture, particularly of western culture.

Media: The main aim of mass media is to be universal and suitable for everyone, in order to gather the largest possible audience. Thus television, responsible for providing the central social discourse, is supposed to be “a mirror of the society”. However, because of stereotypical way of explaining the reality, some groups are underrepresented or ignored, and therefore the society image is incomplete. For instance, the way in which male and female roles are presented in commercials reflects the traditional notions of gender, where women are dominated by men. The attempts to break down the stereotypes are emancipation of women, growing role of individualism, globalization and revaluation of patterns and social roles. Mass media not only gives people information and entertainment, but it also affects people’s lives by shaping their opinions, attitudes and beliefs. Nowadays the differences between male and female roles are smaller, however mass media still perpetuates traditional gender stereotypes. Moreover, due to their great influence on people’s attitudes, they can depict certain social groups in negative and unrealistic manner.

They can be a very useful tool for those remaining power. By manipulating the message, media can create a certain image of reality, which is consistent with the policy of the dominant group. As a result, the reflection of a real world is incomplete and distorted. Although people are aware of the unequal representation of certain social groups in mass media, it is hard to remain objective and insensitive to its influence.

Advertisement: Women are more often presented in commercials, because they are seen as responsible for making everyday purchases. Men generally advertise cars, cigarettes, business products or investments, whereas women are shown rather in the commercials with cosmetics and domestic products. They are also more likely portrayed in the home environment, unlike men, who are shown outdoors. Another important distinction is the face-ism phenomenon in the commercials, which consists in showing the entire figure in case of women and close-up shots in case of men. In advertisements, man plays as athletic, successful, professional, seducer with a beautiful woman by his side. He also has a branded car and a Smartphone. The other type is less popular and presents men devoted to their families who can save enough time for them. Men are very rarely presented during housecleaning. And if they are, it is rather a satirical imager they appear as the experts and they advise women, for instance, how to do laundry properly. Advertising specialists also use the stereotype of male friendship, which can be called “buddy narratives”; men are presented as acting together, for instance by going to a football match or to the pub.

Films: Most people would be surprised to learn that gender segregation plays out at different levels of the film industry, where behind-the-scenes and onscreen inequality runs rampant. The bollywood films have well portrayed the changes happening in the society the films has always been criticized for its almost ignoring the issues of gender. In most of the films, women are given a second tier status; they are characterized as inferior and weaker parts of the society always seeking help from their male counterpart. The only importance they are given is as an item girl or a one-dimensional catalyst for the hero's journey. The heroines are harassed and embarrassed in the name of courtship and issues like sexual assault and rape have been shown regularly in films. The treatment of women in films are either as domestic dolls pandering to the whims and fancies of the dominating husband and in-laws is another cliché that we come across. Women are generally shown as mere adornments to the house. Most mainstream movies portray the man-woman relationship in the mould of one social activity, namely, falling in love and either getting married or jilted for money or family prestige bestowed by birth.

Law and State: “The state sets the framework within which couples live in a legal relationship called marriage, it determines the age of consent to sexual intercourse, it makes certain kinds of intercourse criminal acts, it forbids or regulates the grounds on which abortions can be undertaken legally. The courts set precedents and rules which determine what happens when a marriage breaks up. All of these functions profoundly affect the quality of people’s lives and are part of social policy”. Law is pervasive and affects many aspects of people’s lives, women and men alike. Inequalities in endowments, access to resources and rights, social (and household) status, voice and agency are perpetuated, codified, contested and redressed through norms and the institutions established or resulting from such norms, be they social or legal. Although these inequalities can affect both women and men, women are lagging behind men in many fields.

Check Your Progress - 1

Note:

- e) Write your answer in the space given below
- f) Compare your answer with those given at the end of the unit.

(vi) What are the differences between Patriarchy and Matriarchy?

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(vii) List out the various issues related to Indian women.

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(viii) What are the problems faced by women in the Medieval India?

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3.4. Issues related to women or girl child

Taking birth as a woman in the society can be said as curse for the women. Women face lots of social issues and problems all through the life which are big struggle for them right from their beginning of life. Female infanticide is the most common practice of killing girl child in mother's womb in the Indian society. Women are considered as burden for their parents and husbands as they think that women are here only to consume money whole life without earning a little bit. Another common problem for women is sex discrimination which they face from their birth and continues till their death. Illiteracy, lack of proper education, responsible for household works, rape, sexual harassment at workplace, etc are some big issues for the women. However, a lot of positive changes has occurred in the women status as the number of educated people is increasing in the country. In this section deals about some of issues related to women or girl child.

3.4.1. Female Foeticide and Infanticide

Female Foeticide: Female foeticide is a practice of selective elimination of the female foetus after prenatal sex determination or sex pre-selection, thus, avoiding the birth of a girl child. Sex of the baby could be detected through pre-conception and post-conception methods. The pre-conception methods include Ericsson method (X and Y chromosome separation), and preimplantation genetic diagnosis. However, it is the post-conception methods that are in much wide use, namely: amniocentesis, chronic villus sampling and ultra-sonography. Female foeticide in India is the abortion of a female foetus outside of legal channels. It occurs in India for assumed cultural reasons that span centuries.

Female Infanticide: Discrimination does not end with the sex-selective abortion of female foetus. In most cases, it continues beyond birth. Female infanticide is a deliberate and intentional act of killing a female child within one year of its birth either directly by using poisonous organic and inorganic chemicals or indirectly by deliberate neglect to feed the infant by either the parents or other family members. It is unfortunate that the parents also view her as a liability. Female infanticide is the deliberate killing of newborn female children. The important causes of female foeticide and infanticide are as follows:

Son mania: Indian society is patrilineal, patriarchal and patrilocal. Among the Hindus, the reproduction and heredity beliefs are governed by the laws of Manu. Besides religious consideration, economic, social and emotional desires favour males, as parents expect sons but non daughters to provide financial support, especially in their old age.

Girl as a “burden”: The evil of dowry system has led to a belief that daughters have to be protected and sufficient financial resources have to be accumulated to support the marriage of the girl. Boys on the other hand are considered as assets, who fetch a fabulous dowry for the parents. This has created a stereo-type notion of girl as a “burden” on the household.

Education and the gender skew: The more educated a women is, the more likely she is to actively choose a boy, assuming that she decides to have one child. The only educated women likely to keep daughters are the very independent minded. Educated men, especially in the business class, also want to have sons to carry on their business.

Marginalisation of women in agriculture: Although women contribute far more to the agricultural production, they are by far largest group of landless labourers with little real security. Modernisation of agriculture alleviates the burden of tasks that are traditionally mens responsibility leaving womens burden unrelieved.

Misuse of technology: The tests like Amniocentesis and ultrasonography, which were originally designed for detection of congenital abnormalities of the foetus, are being misused for knowing the sex of the foetus with the intention of aborting it if it happens to be that of a female. Thus, female foeticide and infanticide is receiving fillip through misuse of technology, done surreptitiously with the active connivance of the service providers.

Weak implementation of laws: The Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994, prohibits determination of sex of the foetus. It also provides for mandatory registration of genetic counselling centres, clinics, hospitals, nursing homes, etc. However, the implementation of the law is weak and it has not been used to the fullest. The focus has been only on the registration of the number of ultrasound machines and not on the actual act of abortions of female foetuses.

3.4.2. Sex Ratio

Sex is an easily identifiable characteristic and its dichotomous nature presents few problems of classification. The sex structure of any population can be measured through the percentage of males in the population or masculinity proportion or the sex ratio. The sex ratio of the population thus may either be expressed as the number of males per thousand females or as the number of females per thousand males. The former definition is followed all over the world but the Indian census followed the later definition. The sex ratio above thousand indicates a high sex ratio while that below thousand indicates a low sex ratio.

Factors affecting overall sex ratio:

The overall sex ratio is the result of the factors such as, the sex ratio of the new born babies are sex ratio at birth, the sex ratio of the deceased persons and the sex ratio of the net migrants.

Sex ratio at Birth: There is no 1:1 ratio of male and female births. The number of male babies is always slightly higher. Sex ratio of birth is above thousand. There are 105 male babies per thousand female babies. Sex ratio of birth is determined biologically. Nature is slightly more favourable to male at birth. The sex ratio at birth depends upon the sex ratios of two biological antecedent events that is sex ratio at the time conception and sex ratio of fetal losses of deaths. The sex of fetus is determined at the time of fertilization but there is no direct means of observing this ratio at conception.

Sex Ratio of Deceased persons: Differential mortality of the males and females is an important factor affecting the overall sex ratio and the sex ratio at various wages. In other words more than thousand males per thousand females. The male fetus is biologically, more delicate than the female fetus. It means that even after the birth the male baby continues to be biologically disadvantaged. The fact is reflected in the higher male mortality rates not only in the first day, in the first week and in the first month and in the first year but throughout life. In fact, in most countries the crude death rates for males are higher than those of females.

Sex Ratio at Net Migrants: The third factor affecting the overall sex ratio of any population is sex ratio of the net migrants which essentially socio economic in nature. Migration is ordinarily sex selective but it cannot have significant impact on the sex structure of the population. In India, the sex ratio in urban areas is favourable to males because of male domination in internal migration.

3.4.3. Sexual harassment of women at Work Place

“Sexual Harassment” includes anyone or more of the following unwelcome acts or behaviour (whether directly or by implication), namely:

- Physical contact or advances;
- A demand or request for sexual favours;
- Making sexually coloured remarks;
- Showing pornography;
- Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature

A workplace is defined as “any place visited by the employee arising out of or during the course of employment, including transportation provided by the employer for undertaking such a journey.”

Workplace sexual harassment is sexual, unwelcome and the experience is subjective. It is the impact and not the intent that matters and it almost always occurs in a matrix of power. It is possible that a woman may experience a single instance of sexual harassment or a series of incidents over a period of time. It is important also to remember that each case is unique and should be examined in its own context and according to the surrounding circumstances as a whole.

Below are examples of behaviour that may or may not constitute workplace sexual harassment in isolation. At the same time, it is important to remember that more often than not, such behaviour occurs in cluster. Distinguishing between these different possibilities is not an easy task and requires essential training and skill building. Some examples of behaviour that constitute sexual harassment at the workplace:

- Making sexually suggestive remarks or innuendos.
- Serious or repeated offensive remarks, such as teasing related to a person’s body or appearance.
- Offensive comments or jokes.
- Inappropriate questions, suggestions or remarks about a person’s sex life.
- Displaying sexist or other offensive pictures, posters, MMS, SMS, WhatsApp, or e-mails.
- Intimidation, threats, blackmail around sexual favours.
- Threats, intimidation or retaliation against an employee who speaks up about unwelcome behaviour with sexual overtones.
- Unwelcome social invitations, with sexual overtones commonly understood as flirting.
- Unwelcome sexual advances which may or may not be accompanied by promises or threats, explicit or implicit
- Physical contact such as touching or pinching.
- Caressing, kissing or fondling someone against her will (could be considered assault).

- Invasion of personal space (getting too close for no reason, brushing against or cornering someone).
- Persistently asking someone out, despite being turned down.
- Stalking an individual.
- Abuse of authority or power to threaten a person's job or undermine her performance against sexual favours.
- Falsely accusing and undermining a person behind closed doors for sexual favours.
- Controlling a person's reputation by rumour-mongering about her private life.

3.4.4. Honour Killing

An honor killing or shame killing is the homicide of a member of a family by other members, due to the perpetrators' belief that the victim has brought shame or dishonor upon the family, or has violated the principles of a community or a religion, usually for reasons such as refusing to enter an arranged marriage, being in a relationship that is disapproved by their family, having sex outside marriage, becoming the victim of rape, dressing in ways which are deemed inappropriate, engaging in non-heterosexual relations or renouncing a faith.

Honor killings are acts of vengeance, usually death, committed by male family members against female family members, who are held to have brought dishonor upon the family. A woman can be targeted by (individuals within) her family for a variety of reasons, including: refusing to enter into an arranged marriage, being the victim of a sexual assault, seeking a divorce - even from an abusive husband - or (allegedly) committing adultery. The mere perception that a woman has behaved in a way that "dishonors" her family is sufficient to trigger an attack on her life.

Methods of killing include stoning, stabbing, beating, burning, beheading, hanging, throat slashing, lethal acid attacks, shooting and strangulation. The murders are sometimes performed in public to warn the other women within the community of possible consequences of engaging in what is seen as illicit behavior.

The following are some of the Specific triggers of Honor killings

- **Refusal of an arranged marriage:** Refusal of an arranged marriage is often a cause of an honor killing. The family which has prearranged the marriage risks disgrace if the marriage does not proceed.

- **Seeking a divorce:** A woman attempting to obtain a divorce or separation without the consent of the husband/extended family can also be a trigger for honor killings. In cultures where marriages are arranged and goods are often exchanged between families, a woman's desire to seek a divorce is often viewed as an insult to the men who negotiated the deal. By making their marital problems known outside the family, the women are seen as exposing the family to public dishonor. Allegations and rumors about a family member. In certain cultures, an allegation against a woman can be enough to tarnish her family's reputation, and to trigger an honor killing: the family's fear of being ostracized by the community is enormous.
- **Victims of rape:** In many cultures, victims of rape face severe violence, including honor killings, from their families and relatives. In many parts of the world, women who have been raped are considered to have brought 'dishonour' or 'disgrace' to their families. This is especially the case if the victim becomes pregnant.
- **Homosexuality:** There is evidence that homosexuality can also be perceived as grounds for honor killing by relatives. It is not only same-sex sexual acts that trigger violence - behaviors that are regarded as inappropriate gender expression (e.g. a male acting or dressing in a "feminine way") can also raise suspicion and lead to honor violence.
- **Views on women:** Honor killings are often a result of strongly patriarchal views on women, and the position of women in society. In these traditional male-dominated societies women are dependent first on their father and then on their husband, whom they are expected to obey. Women are viewed as property and not as individuals with their own agency. As such, they must submit to male authority figures in the family – failure to do so can result in extreme violence as punishment.

3.4.5. Dowry

Dowry refers to the property, movable and or immovable, that is received by the bridegroom or his parents from the bride's parents.

The Dowry system refers to the durable goods, cash, and real or movable property that the bride's family gives to the bridegroom, his parents, or his relatives as a condition of the marriage. It is essentially in the nature of a payment in cash or some kind of gifts given to the bridegroom's family along with the bride and includes cash, jewellery, electrical

appliances, furniture, bedding, crockery, utensils and other household items that help the newlyweds set up their home.

The Dowry Prohibition Act, 1961 defines dowry as ‘any property or valuable security given or agreed to be given either directly or indirectly

- (a) By one party a marriage to the marriage; or
- (b) By the parents of either party to marriage or by any other person to either party of the marriage or to any other person; at or before or after the marriage as consideration for the marriage of the said parties.

In ancient times the parents sent their daughter to her husband’s home by paying a dowry in the form of certain material gifts and the daughter entrusted it to her husband. The dowry came as a boon to the girls in those days. In those days, the girls were not literate. They were not earning. They were financially helpless and so they depended solely on their husbands. The dowry safeguarded and helped them to support themselves in times of calamities like widowhood or some sudden misfortune and thus it acted as a security against contingencies of life.

Determinants of Dowry system has happened to our India in the following ways.

- **Educational qualification and Profession of the boy:** The size of dowry paid depends on the educational qualifications and profession of the boy. The amount of cash paid in dowry scales up as the educational qualification rises. The boy with a professional degree ordinarily fetches a higher sum of dowry than an ordinary graduate. The financial status of the boy’s family also acts as an important consideration in the stipulation of the amount of dowry.
- **Economic status of boy’s family:** When the family of the boy is propertied and economically well-off, it puts up a demand for a high rate of dowry ‘to maintain its prestige and status’. When the educational qualification, profession and property combine together, the sky becomes the limit for the dowry demanded.
- **Social Status of the boy’s family:** The social status of the family of the boy also plays a role in determining the rate of dowry.
- **Demerits of the girl:** The size of dowry scales up and down not only the merits of the boy, but also according to the disqualifications and demerits of the girl. For instance if the bride is dark-skinned or if she is short or squint-eyed or has anything negative, she pays more.

The following ways we try to eradicate the dowry systems.

- **Education:** By imparting Education the practice of dowry could be minimized but cannot be solved by educating them.
- **Refuse to Marry:** It is also suggested that the girls must refuse to marry the boys who demand dowry. But the girls feel that if they do so they may be left as maids and their prospects of marriage may come to an end once and for all.
- **Registration of Marriages:** Compulsory registration of marriages is also suggested to put down this evil. At the time of registration, the parents of both the bride and bridegroom must be asked to take an oath, 'not offered' and 'not accepted' dowry in cash or kind and to sign a prescribed form to that effect. This will help gradual elimination of this evil.
- **Political parties and service organizations:** Political parties and service organisations like the clubs must also take up the programmes of propagation of the evil of dowry and ordain its members not to give or to take dowry.

3.4.6. Child Marriage

Child marriage is a formal marriage or informal union entered into by an individual before reaching the age of 18. The legally prescribed marriageable age in some jurisdictions is below 18 years, especially in the case of girls; and even when the age is set at 18 years, many jurisdictions permit earlier marriage with parental consent or in special circumstances, such as teenage pregnancy. In certain countries, even when the legal marriage age is 18, cultural traditions take priority over legislative law. Child marriage affects both boys and girls, though the overwhelming majority of those affected are girls, most of whom are in poor socioeconomic situations. Child marriage in India, according to the Indian law, is a marriage where either the woman is below age 18 or the man is below age 21. Most child marriages involve underage women, many of whom are in poor socio-economic conditions. Many factors have been responsible for child marriages. The causes of child marriage are explained below

- **Illiteracy:** India is an agricultural country. Here peasants generally like to marry their sons in an early age so that an additional member may be available to assist in domestic and agricultural work.
- **Low status of woman:** It was recognized that a woman should always remain under control. Before marriage, father is her guardian, after marriage, husband is

considered her guardian and after death of husband, her sons or any other male member of the family is her guardian.

- **Opposition to Inter-caste Marriage:** Opposition to the inter-caste marriages is another factor that has encouraged child marriages. To avoid nothing is left to attract inter-caste marriage, parents marry their daughter and sons in an early age of ignorance.
- **Joint Family System:** In patriarchal family there is no place for women's voice. In order to avoid the burden of a daughter or to bring an additional member for work by marrying his sons they marry their daughters in an early age.
- **Religious Factors:** It is a general belief among all uneducated and orthodox religious people that a daughter should be married before her menstruation.

3.4.7. Property Rights

Women's property rights are property and inheritance rights enjoyed by women as a category within society at any point in time. The patterns and rights of property ownership vary between societies and are influenced by cultural, racial, political, and legal factors. The lack of control over both productive and non-productive resources that is apparent in both rural and urban settings places women at a reduced level of advantage in areas of security of home, maintaining a basis for survival, and accessing economic opportunities. Development-related problems faced across the globe have been increasingly linked to women's lack of property and inheritance rights, especially in regards to land and property ownership, encompassing areas such as low levels of education, hunger, and poor health.

In India, Women's access and rights of ownership over family property (both moveable and immovable), in the absence of a will, is governed by succession laws based on religion. Under Hindu law prior to 1937, a woman did not have the right to own any property at all, except what she received from her parents at the time of her wedding. The Hindu succession Act, 1956 was a breakthrough in terms of giving Hindu women a full and equal share of their husbands' property as the children; yet, the male bias persisted. An amendment to this Act in 2005 took the progressive step of making daughters coparceners at par with sons, such that they receive an equal birthright to a share in the natal family's ancestral property, i.e. parents' property. Laws are giving importance to the woman's rights. But still women not get the equal property rights because of some of the social beliefs and not changes people attitude towards the women.

3.4.8. Divorce

Divorce (or dissolution of marriage) is the termination of a marriage or marital union, the canceling and/or reorganizing of the legal duties and responsibilities of marriage, thus dissolving the bonds of matrimony between a married couple under the rule of law of the particular country and/or state. Divorce laws vary considerably around the world, but in most countries divorce requires the sanction of a court or other authority in a legal process, which may involve issues of alimony (spousal support), child custody, child visitation / access, parenting time, child support, distribution of property, and division of debt. A divorce happens after a husband and wife decide not to live together anymore and that they no longer want to be married to each other. They agree to sign legal papers that make them each single again and allow them to marry other people if they want to. Relationships have become complex in the modern days. The following are some of the reasons for divorce in modern days.

Infidelity: Mutual trust is the base of most of the relationships. Relationships do break up when either of the partners deceive to other. Infidelity is the important reason for divorce. When partners become unfaithful to one another the relationship will end up and divorce become the solution to enjoy legal freedom.

Communication Breakdown: Lack of communication creates lot of gaps among couples. Such gaps lead to lot of misunderstandings between them. Communication problem is not because they can't express their feelings to one another. The 'ego' stops them to be open up to one other. If they don't speak for a longer time that stops two ways communication then there is a danger of ending their relationship.

Physical, Emotional or Psychological Abuse: Any abuse brings lot of pain in all the relationships. Marriage is the bond which is completely made up of mutual dependencies and expectations. Physical abuse, including bullying, manhandling, or violence is quite unbearable and has clear grounds for divorce. Emotional or psychological abuse hurts the emotions of a partner and the chances are very less to stay back with an abusive person.

Marital Financial Issues: Financial strains are often the biggest reasons for the collapse of a marriage. Possible causes for the disagreement over unequal monetary status or financial responsibilities can cause so much of stress in their relationship that leads to their divorce.

Sexual Incompatibility: Sexual act contributes a lot to the successful marital life. Physical bond is necessary to build a strong emotional bond with the respective partner. Feel of satisfaction brings each other's closer and avoids lot of complexities. Sexual dissatisfaction often leads to frustration leading to separation and divorce. Sexual and reproductive incompatibility could be the top of the reasons for divorce. But if the sexual drives of both partners are totally out of synchronization then it is better take any psychological or medical help.

Religious and Cultural Strains: Marriage between different religion, culture and ethnicity is a common trend in these days. Living with a different cultural background is not an easy thing at all. There has to be lot of adjustments and sacrifices from both the sides. The Couples of a different religion, culture or ethnicity sometimes do not take up the expectations of their partner's religion and often cause resentment among them. The differences are mainly due to the several taboos posed by a culture. Mutual compromise can only solve this issue and save partners too.

Child Rearing: Child rearing is one of the sensitive issues causing rifts in the marriages and contributing as one of the major reasons for splitting or divorce. If one of the partners is totally reluctant towards child-rearing issues, then the reason can be enough to provoke the petition of divorce by the parent. It's not fair to blame only the mother since her role has been extending and responsibility should be felt equally from both the parents.

Addiction: Over use of alcohol, drug or gambling are usually all forms of addiction, which can ruin relationships. The problem becomes worst when combined with physical or verbal abuse, and can leave devastating emotional scars on the whole family, including children also. Addiction will definitely make you to lose your interests in the family affairs. It's better to be conscious about our habits before getting addict.

Differences in Expectations and Priorities: It's difficult to get reflexive partner in the life. Each person thinks differently since each one have unique backgrounds. As everyone has got different personality traits, the different priorities, perceptions and expectations towards life are also found to be alike. Sometimes the couples are so drastically different that they cannot cope up living together and wish their marriage to an end. One can avoid it by understanding each other's differences over a course of time and there will be ways to solve such differences. Divorce is not the only solution for all couples problems. It can relieve the individuals from the suffocative state but not from the suffering.

3.4.9. Widowhood

A widow is a woman whose spouse has died, while a widower is a man in that situation. The state of having lost one's spouse to death is termed widowhood. These terms are not applied to a person after he or she becomes divorced from their former spouse, though they may sometimes be used after the former spouse has died. This term "widowhood" can be used for either sex. Widowhood is one of the normal stages in the life cycle of women. It is a natural occurrence. But the Hindus believe that the widowhood of woman is the result of sins, she committed in her previous life. Even the widows themselves entertain such a notion and bear with their status. Widowhood is considered as an inauspicious thing and therefore a widow faces a miserable and inhuman existence. Being economically dependent on the members of her husband's family, she has to live at their mercy for her subsistence. She is ill-treated, abused and sometimes blamed and cursed for any unhappy occurrence in the family. For the very death of her husband, she is held responsible and abused. She is considered as a woman of ill. Consequently she has to keep herself away or at a distance on the occasions of family festivities including the occasions of marriage of her own children.

3.4.10. Identification of sexual abuse/violence and its verbalization.

Sexual abuse is any type of sexual activity that you do not agree to, including:

- inappropriate touching
- vaginal, anal, or oral penetration
- sexual intercourse that you say no to
- rape
- attempted rape
- child molestation

Sexual assault can be verbal, visual, or anything that forces a person to join in unwanted sexual contact or attention. Examples of this are voyeurism (when someone watches private sexual acts), exhibitionism (when someone exposes him/herself in public), incest (sexual contact between family members), and sexual harassment. It can happen in different situations, by a stranger in an isolated place, on a date, or in the home by someone you know. Women who are sexually abused may suffer serious health problems, such as sexually transmitted infections, stomach problems, and ongoing pain. They also are at risk for emotional problems, like depression, anxiety, and post-traumatic stress disorder.

The following are the some of the identification signs for sexual abuse women.

- Self-injury (cutting, burning)
- Inadequate personal hygiene
- Drug and alcohol abuse
- Sexual promiscuity
- Running away from home
- Depression, anxiety
- Suicide attempts
- Fear of intimacy or closeness
- Compulsive eating or dieting

Check Your Progress - 2

Note:

- a) Write your answer in the space given below
- b) Compare your answer with those given at the end of the unit.

(i) What do you mean by Female Foeticide?

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(ii) How to eradicating the dowry systems in India?

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(iii) List out the reasons for divorce in modern days.

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3.5. LET US SUM UP

Now the women in India enjoy a unique status of equality with the men as per constitutional and legal provision. But the Indian women have come a long way to achieve the present positions. To sum up, women empowerment cannot be possible unless women come with and help to self-empower themselves. There is a need to formulate reducing feminized poverty, promoting education of women, and prevention and elimination of violence against women. This unit discusses about current scenario of Indian woman, concept of Patriarchy and Matriarchy, issues related to Indian women, gender roles in society through variety of institutions such as family, state, religion, culture, the media, and issues related to girl child.

3.6. UNIT-END ACTIVITIES

- Discuss the current scenario of Indian women
- Define gender role. What are the impacts before women through variety of institutions?
- Give an account of various issues related to girl child.
- Bring out the identification of sexual abuse and its verbalization.
- How to prevent the issues related to women and girl child in India?
- Differentiate between the patriarchy and matriarchy.

3.7. ANSWERS AS CHECK YOUR PROGRESS

1. (i) Difference between Patriarchy and Matriarchy

Characters	Patriarchy	Matriarchy
House Hold	Father is the head of the household	Mother is the head of the household
Power	The father has more power and control over others	The mother has more power and control over others
Property	The ownership of property goes to males.	The ownership of property goes to females
Governance	The society is governed by Males	The society is governed by females

(ii) Issues related to Indian Women

- Selective abortion and female infanticide
- Sexual harassment
- Dowry and Bride burning
- Disparity in education
- Domestic violence
- No property Rights.
- Child Marriages

(iii) Problems faced by women in the Medieval India

- Sati
- Jauhar
- Child Marriage
- Restriction on Widow Remarriage
- Purdah System
- Not to promote Female Education
- Devadasis

2. (i) Female Foeticide: LEARN. BELIEVE. ACHIEVE

Female foeticide is a practice of selective elimination of the female foetus after prenatal sex determination or sex pre-selection, thus, avoiding the birth of a girl child.

(ii) Ways to eradicate the dowry systems:

- Education: By imparting Education the practice of dowry could be minimized but cannot be solved by educating them.
- Refuse to Marry: It is also suggested that the girls must refuse to marry the boys who demand dowry.
- Registration of Marriages: Compulsory registration of marriages is also suggested to put down this evil.
- Political parties and service organizations: Political parties and service organizations like the clubs must also take up the programmes of

propagation of the evil of dowry and ordain its members not to give or to take dowry.

(iii) Reasons for divorce in modern days:

- Infidelity
- Communication Breakdown
- Physical, Emotional or Psychological Abuse
- Marital Financial Issues
- Sexual Incompatibility
- Religious and Cultural Strains
- Child Rearing
- Addiction
- Differences in Expectations and Priorities

3.8. SUGGESTED READINGS

- Belle, D. (1982). Ed. *Lives in Stress: Women and Depression*. New Delhi: Sage Distributors.
- Dube, L. (2001). *Anthropological explorations in gender: Intersecting fields*. New Delhi: Sage Publications Pvt. Limited.
- Kapur, P. (1974). *Changing: tutus of the Working Women in India*. Delhi: Vikas Publishing House.
- Khan, M. S. (1996). *Status of women in Islam*. New Delhi: APH Publishing.
- Majumdar, M. (2004). *Social status of women in India*. New Delhi: Dominant Publishers.
- Sarkar Aanchal, 2006, *Gender and Development*, Pragun Publication, New Delhi. Print.
- Sharma, A. (2002). *Women in Indian religions*. New Delhi: Oxford University Press.

UNIT IV

GENDER AND LAW

Structure

- 4.1. Introduction
- 4.2. Objectives
- 4.3. Introduction to laws related to women
 - 4.3.1. Laws related to Rape
 - 4.3.2. Laws related to Dowry
 - 4.3.3. Laws related to Remarriage
 - 4.3.4. Laws related to Divorce
 - 4.3.5. Laws related to Property inheritance
 - 4.3.6. Laws related to Trafficking
- 4.4. Indian Constitutions - Introduction
 - 4.4.1. Women's Reservation Bill - History and Current Status
 - 4.4.2. The Indian constitution and provisions according to women
 - 4.4.3. Human Rights and Women's Right
- 4.5. Legal aspects related to Women
 - 4.5.1. Declining sex ratio
 - 4.5.2. PNDT (Pre Natal Diagnostic Techniques) Act
 - 4.5.3. Female Feticide
 - 4.5.4. Violence against Women
 - 4.5.5. Domestic Violence Act
 - 4.5.6. Sexual Harassment at Work Place
 - 4.5.7. Indecent Representation of Women (Prohibition Act)
 - 4.5.8. Cybercrime
- 4.6. Let us Sum Up
- 4.7. Unit – end Activities
- 4.8. Answers as check your progress
- 4.9. Suggested Readings

4.1. INTRODUCTION

Women, a girl, a wife, a mother, a grandmother, overall woman is a key of a family. World can never be complete without a woman. Law is the set of rules enforced to govern the behavior of people. From the beginning of this world women is treated as a weaker section of the society and they are the victims of the crimes like rape, eve teasing, female infanticide, dowry, domestic violence, child marriage and acid throwing. They were only allowed to live beneath the shoes of their husbands and fathers. Laws are being made to secure the lives of the women from the violence of their families and societies, and to provide them with their rights of which they are the owners. This lesson aims to build candidates knowledge and understanding of constitution and provision of women and legal aspects related to women.

4.2. OBJECTIVES

After going through this unit, you will be able to:

- describe the laws related to women (Rape, Dowry, Remarriage, Divorce etc)
- explain the women's reservation bill act
- discuss the human rights and women's right
- aware of the Indian constitutions and provision according to women
- consciousness of legal aspects related to women
- aware of PNDT Act, Domestic Violence Act etc
- apply and evaluate approaches or modes of inquiry used to analyze women's rights

4.3. INTRODUCTION TO LAWS RELATED TO WOMEN

Women's rights are the rights and entitlements claimed for women and girls of many societies worldwide, and formed the basis to the women's rights movement in the nineteenth century and feminist movement during the 20th century. In some countries, these rights are institutionalized or supported by law, local custom, and behavior, whereas in others they may be ignored or suppressed. They differ from broader notions of human rights through claims of an inherent historical and traditional bias against the exercise of rights by women and girls, in favour of men and boys. Issues commonly associated with notions of women's rights include, though are not limited to, the right: to bodily integrity and autonomy; to be free from sexual violence; to vote; to hold public office; to enter into legal contracts; to have equal rights in family law; to work; to fair wages or equal pay; to have reproductive rights; to own property; to education. In this section deals about the laws related to women issues.

4.3.1. Laws related to Rape

Rape means an unlawful intercourse done by a man with a woman without her valid consent. (Section 375 of the Indian Penal Code, 1860). Indian Penal Code, 1860, As per Section 375 of IPC a man is said to commit the offence of rape with a woman under the following six circumstances.

- Sexual intercourse against the victim's will.
- without her victim's consent.
- with her consent, when her consent has been obtained by putting her or any person in whom she is interested in fear of death or of hurt.
- with her consent, when the man knows that he is not her husband, and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married.
- with her consent, when, at the time of giving such consent, by reason of unsoundness of mind or intoxication or the administration by him personally or through another of any stupefying or unwholesome substance, she is unable to understand the nature and consequences of that to which she gives consent.
- with or without her consent, when she is under sixteen years of age.

Rape is a stigma which exists in the society from a long time. Rape in India is a cognizable offence. There are many provisions in various Acts. The word rape is legally defined u/s 375 of Indian Penal Code, 1860. It defines the rape and also prescribes its punishment. Whenever a man penetrates or does sexual intercourse with a woman without her consent or will it amounts to rape. Penetration here means that only a slightest of the touch of penis to vagina amounts to rape, unruptured hymen of woman does not prove that rape was not committed. There are exceptions to it also i.e. when a man does sexual intercourse with his wife who is above 15 years of age.

The rape law under Indian Penal Code had gone through a lot of amendments.

- In 1983, amendment was made and S.376 (2) i.e. Custodial rape, S. 376(A) i.e. marital rape & S. 376(B to D) i.e. Sexual Intercourse not amounting to rape were added.
- U/s 228A of Indian Penal Code, No person can disclose the name of the rape victim and if anybody discloses the name, he shall be punished with either description for a term which may extend to two years and shall also be liable for fine.

- U/s 114-A of Indian Evidence Act, presumption can be made as to the absence of consent in certain prosecutions for rape.
- U/s 164A of Code of Criminal Procedure, provisions for medical examination of rape victim are given.
- U/s 327(2) of Code of Criminal Procedure, there should be in camera trial for all rape victims.

The Judiciary in India is burdened with a lot of work and therefore judgment of the rape cases comes very late. Sometimes it comes so late that either of the parties had died. So, there should be speedy trials in rape cases so that the victim gets justice as it is rightly stated that “Justice delayed is justice denied.” As every coin has two sides, in this case also there are two sides. Many a times girls also make fake complaints just to ruin the life of a boy, sometimes the parents of girl compels her to file a complaint against the boy she loves, as the law shows a lot of sympathy towards the girl. The accused is left with nothing, when the complaint is made his life is ruined irrespective of the fact that he was proved guilty or not. So, in my views there must come an amendment which equalizes the burden of proof on both the sides and the law works smoothly. It should be such that it contradicts the statement i.e. “Law is there for vigilant.”

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4.3.2. Laws Related to Dowry

Section 2 of the Dowry Prohibition Act, 1961 as amended by the Dowry (Prohibition) Amendment Act, 1984 & 1986 defines dowry as follows: “Dowry”, means any property or valuable security given or agreed to be given either directly or indirectly,

- by one party to a marriage to the other party to the marriage; or
- by the parents of either party to a marriage; or
- by any other person, to either party to the marriage or to any other person;

at, or before, or any time after the marriage, in connection with the marriage of the said parties.

Dowry Prohibition Act, 1961: The punishment for giving and taking dowry or abetting the give and take of dowry was earlier punishable by imprisonment up to 6 months, or a fine up to Rs. 5,000. Demanding dowry directly or indirectly from the parents or guardian of a bride was also liable for similar punishment. This punishment was later enhanced by the amendment act and now these offences are punishable with a minimum of six months and maximum ten years of imprisonment. The fine limit has been enhanced to

Rs 10,000 or to an amount equivalent to the dowry given, taken or demanded whichever is more. The court has been given the discretion to reduce the minimum punishment though in doing so the court is required to record in writing adequate and special reasons for doing so. (Sec 3 and 4 of the Dowry Prohibition Act, 1961).

Amendments have been brought about in the Dowry Prohibition Act to remove the defects which existed in the main legislation. The ministry of women and child development (MWCD) is seeking further amendments in the existing provisions of the Dowry Prohibition Act, 1961 in order to provide more teeth to dowry prohibition laws. In 2009 the National Commission for Women proposed some changes to this act. These recommendations were discussed in an Inter-Ministerial meeting and the Dowry Prohibition (Amendment) Bill 2010 was drafted in consultation with the Ministry of Law and Justice.

Table 1: Offences against Women

Type of Offences	Penal Sections	Ingredients of the Sections	Punishment
Dowry torture	498-A/34 IPC 4 & 6 D.P. Act	Subjected cruelty by the husband and relation of the Husband (i)There must be marriage, (ii)Torture within 7 years of marriage and demand of dowry before, during and after marriage	
Dowry torture with attempt to murder	498A/34/307 IPC & 4 DP Act	-do- & attempt to commit murder by burning, hanging or poisoning, throttling, stabbing	
Dowry death	304-B/34 IPC	Death of bride within 7 years of marriage	Death sentence/imprisonment for life and fine
Dowry Death (i)Murder	498-A/304-B/302/34 IPC	-do-	Death sentence/imprisonment for life and fine
(ii)Abetment to commit suicide	498-A/306/34 IPC & 4 DP Act	-do-	Imprisonment extend to 10 years and fine

4.3.3. Laws Related to Remarriage

Remarriage is allowing the women to remarry after the death of the spouse or divorced the spouse on proper legal grounds. The Hindu Widows' Remarriage Act, 1856, also Act XV, 1856, enacted on 26 July 1856, legalized the remarriage of Hindu widows in all jurisdictions of India under East India Company rule. To protect what it considered family honour and family property, upper-caste Hindu society had long disallowed the

remarriage of widows, even child and adolescent ones, all of whom were expected to live a life of austerity and abnegation. The Hindu Widows' Remarriage Act of 1856, enacted in response to the campaign of Pandit Ishwar Chandra Vidyasagar, provided legal safeguards against loss of certain forms of inheritance for a remarrying Hindu widow, though, under the Act, the widow forsook any inheritance due her from her deceased husband. Especially targeted in the act were Hindu child widows whose husbands had died before consummation of marriage.

The Hindu widow re-marriage Act of 1856 validated on widow's remarriage. Given below are the features of this Act:

- Widow re-marriage and the children born of such a marriage have been declared valid.
- After re-marriage, the widow loses right over the property of her deceased husband.
- There are two views in regard to the rights of widow over the property of her deceased husband, if she changes her religion before her re-marriage. The views of the various high courts are conflicting in this regard.
- In case a widow is a minor, she will have to obtain permission from her parents or guardians for remarriage.
- In addition to these provisions, The Hindu Succession Act 1956 and the Hindu Marriage Act 1955, also contain provisions relating to widow remarriage.

4.3.4. Laws Related to Divorce

Divorce (or dissolution of marriage) is the termination of a marriage or marital union, the canceling and/or reorganizing of the legal duties and responsibilities of marriage, thus dissolving the bonds of matrimony between a married couple under the rule of law of the particular country and/or state. A wife can obtain divorce on the following grounds:

- The husband has been guilty of rape, sodomy or bestiality
- In a suit under section 18 of the Hindu Adoptions and Maintenance Act, 1956 or in proceeding under section 125 of the Cr. P.C. 1973, a decree or order has been passed against the husband awarding separate residence and maintenance to her after the passing of such a decree or order there is no resumption on cohabitation for one year on upwards.

Under this Act, there is a provision for divorce by mutual consent of both parties as in under the Hindu Marriage Act 1955. (Section 28, Special Marriage Act, 1954). With the passing of the Hindu Marriage Act in 1955 dissolution of marriage was provided for on an all India scale. A wife can seek divorce on the ground of the following:

- **Adultery:** Where the husband “has after the solemnization of the marriage had voluntary sexual intercourse with any person other than his spouse”, the wife can petition for divorce.
- **Cruelty:** Where the husband “has after the solemnization of the marriage, treated the petitioner with cruelty”, the wife is entitled to get a degree of divorce.
 - Continually used abusive and insulting words which bring shame and mental agony to her
 - Indulged in excessive sexual intercourse or in unnatural sexual behavior against her wishes
 - Unreasonably refused and persisted in the refusal for long time
 - Indulged in drunkenness or intoxicating drugs
 - Forced her to have intercourse with a stranger
 - Brought into the house another woman for his carnal satisfaction and indulged in sexual orgy with her
 - Deliberately ill-treated the children in her presence with a view to give her mental pain.
- **Desertion:** Where the husband “has deserted the petitioner for a continuous period of not less than two years immediately presentation of the petition” the wife can obtain divorce.
- **Conversion:** Where the husband “has ceased to be a Hindu by conversion to another religion” the wife can seek divorce.
- **Unsound Mind:** Where the husband “has been incurably of unsound mind or has been suffering continuously or intermittently form mental disorder of such a kind and to such an extent that the petitioner cannot reasonably be expected to live with the respondent”, the wife can obtain divorce.
- **Leprosy:** Where the husband “has been suffering from a virulaent and incurable form of leprosy”, the wife can obtain divorce.
- **Venereal Disease:** Where the husband “has been suffering from venereal disease in a communicable form”, the wife can obtain divorce.

- **Renunciation of the World:** Where the husband “has renounced the world by entering any religious order”, the wife can obtain divorce.
- **Presumed Death:** Where the husband “has not been heard of as being alive for a period of seven years or more by those persons who would naturally have heard of it, had that part been alive”, the wife can obtain divorce.
- **Judicial Separation:** Where there “has been no resumption of cohabitation as between the parties to the marriage for a period of one year or upwards after passing of a decree for judicial separation in a proceeding to which they were parties” , wife can seek divorce.
- **Bigamy:** A wife can seek divorce from her husband if he had married again before the commencement of this Act.
- **Rape and unnatural offence:** If the husband has since the solemnization of the marriage been guilty of rape, sodomy or bestiality, the wife may seek divorce.
- **Marriage while being a Minor:** Where “her marriage was solemnized before she attained the age of fifteen years and she has repudiated the marriage after attaining that age but before attaining the age of 18 years, the wife may seek divorce.

4.3.5. Laws Related to Property Inheritance

The general law relating to the inheritance and succession can easily be referred to The Indian Succession Act, 1925. Under this Act every Indian is entitled to equal shares on inheriting the property on the death of a person. In India, Women’s access and rights of ownership over family property (both moveable and immovable), in the absence of a will, is governed by succession laws based on religion. Under Hindu law prior to 1937, a woman did not have the right to own any property at all, except what she received from her parents at the time of her wedding. The Hindu succession Act, 1956 was a breakthrough in terms of giving Hindu women a full and equal share of their husbands’ property as the children; yet, the male bias persisted. An amendment to this Act in 2005 took the progressive step of making daughters coparceners at par with sons, such that they receive an equal birthright to a share in the natal family’s ancestral property, i.e. parents’ property. Laws are giving importance to the woman’s rights. But still women not get the equal property rights because of some of the social believes and not changes people attitude towards the women.

4.3.6. Laws Related to Trafficking

Human trafficking is a crime of crimes. It is a basket of crimes. In this basket one can dig out the elements of abduction, kidnapping, illegal detainment, illegal confinement, criminal intimidation, hurt, grievous hurt, sexual assault, outraging modesty, rape, unnatural offences, selling and buying of human beings, servitude, criminal conspiracy, abetment etc. Therefore, multiple abuse and abusers located at different points of time and place together constitute the organized crime of trafficking. A host of human rights violations like denial of privacy, denial of justice, denial of access to justice, deprivation of basic rights and dignity etc constitute other part of the exploitation. Therefore, there is no doubt that trafficking is an organized crime.

In the existing scenario, trafficking is usually confused with prostitution and therefore, there is no proper understanding of the seriousness of trafficking. It would be appropriate here to list out the wrongs, violations, harms and crimes that are committed by various persons on a trafficked victim. These violations can be realized only during a careful interview of a trafficked person. Once the victim is allowed, facilitated and promoted to speak, the unheard story will reveal a long list of violating acts perpetrated on her. Displaced from her community, which tantamount to kidnapping/ abduction (Sections 361, 362, 365, 366 IPC may apply)

- Procured illegally (S.366 A IPC)
- Sold by somebody (S.372 IPC)
- Bought by somebody (S.373 IPC) 8
- Imported from a foreign country (if she hails from a foreign country, or even from J & K State, and is under 21 years of age – S.366 B IPC)
- Wrongfully restrained (S.339 IPC)
- Wrongfully confined (S 340 IPC)
- Physically tortured/injured (S.327, 329 IPC)
- Subjected to criminal force (S. 350 IPC)
- Mentally tortured/harassed/assaulted (S. 351 IPC)
- Criminally intimidated (S.506 IPC)
- Outraged of her modesty (S 354 IPC)
- Raped/gang raped/repeatedly raped (S 375 IPC)
- Subjected to perverse sexual exploitation ('unnatural offences') (S.377 IPC).
- Subjected to unlawful compulsory labor (S.374 IPC)

Check Your Progress - 1**Note:**

- g) Write your answer in the space given below
- h) Compare your answer with those given at the end of the unit.

(ix) List out the features of Hindu Widow Re-Marriage Act of 1856

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(x) What do you mean by Humane Trafficking?

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4.4. INDIAN CONSTITUTIONS – INTRODUCTION

The rights available to woman (ladies) in India can be classified into two categories, namely as constitutional rights and legal rights. The constitutional rights are those which are provided in the various provisions of the constitution. The legal rights, on the other hand, are those which are provided in the various laws (acts) of the Parliament and the State Legislatures. The following section deals about the Indian constitutions and legal rights of women.

4.4. 1. Women's Reservation Bill –History and Current Status

In India women were considered to be kept inside the house for the service of their in-laws, children and husband. Their rights were not secure and they were not given equal opportunity in any of the aspect whether it may be social, economical, political or cultural. Reservation for women started to give exposure to them and to make Indian society feel that women are not less than man in any aspect. In 1993 the constitutional amendment called for random one third village council leader or pradhan position in gram panchayat to be reserved for women. Recent researches on quota system has revealed that it has changed perception on women's abilities, improved women electoral chances, and raised aspirations and educational attainment for adolescent girls. There is a long term plan to extend this reservation to parliament as well as legislative assemblies. For instance some

law schools in India have 30% reservation for females. Progressive political opinion in India is strongly in favour of providing preferential treatment to women to create a level playing field for all the citizens. The Women's Reservation Bill was passed by the Rajya Sabha on 9 March 2010 by a majority vote of 186 members in favour and 1 against. As of March 2013, the Lok Sabha has not voted on the bill. Critics say gender cannot be held as a basis for reservation alone other factors should also be considered e.g. economic, social conditions of woman candidate especially when applying reservation for educated women.

“Reservation for women is needed to compensate for the social barriers that have prevented women from participating in politics and thus making their voices heard. It is of the opinion that this Bill is a crucial affirmative step in the right direction of enhancing the participation of women in the State legislatures and Parliament and increasing the role of women in democratization of the country”.

Parliamentary Standing Committee Report on the Constitutional (108th Amendment) Bill “Achieving the goal of equal participation of women and men in decision making will provide a balance that more accurately reflects the composition of society and is needed in order to strengthen democracy and promote its proper functioning. Without the active participation of women and the incorporation of women’s perspectives at all levels of decision-making, the goals of equality, development and peace cannot be achieved.”

A Brief History of Women's Reservation Bill

- 1996: Women’s reservation bill is introduced as 81st Constitutional Amendment Bill by Deve Gowda government.
- 1998: The bill is re-introduced as the 84th Constitutional Amendment Bill by the Atal Bihari Vajpayee headed - National Democratic Alliance (NDA) government.
- 1999: The NDA government re-introduces the bill
- 2002: The bill fails to get clearance in the house.
- 2003: Bill is introduced twice in parliament.
- 2008: The UPA government tables the Bill in the Rajya Sabha to save from getting lapsed.
- 2010: The cabinet clears the bill and the Bill is passed by the Rajya Sabha also.

The 18 year-journey of the Women’s Reservation Bill was marked by high drama and hit roadblocks in each of its outings in Parliament before the historic measure cleared the first legislative hurdle in 2010. Sadly enough, a number of male parliamentarians over the years have opposed the passing of the Bill, leaving it in its current state.

4.4.2. The Indian constitution and provisions according to women

The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women. The Constitution of India not only grants equality to women but also empowers the State to adopt measures of positive discrimination in favour of women for neutralizing the cumulative socio economic, education and political disadvantages faced by them. Fundamental Rights, among others, ensure equality before the law and equal protection of law; prohibits discrimination against any citizen on grounds of religion, race, caste, sex or place of birth, and guarantee equality of opportunity to all citizens in matters relating to employment. Articles 14, 15, 15(3), 16, 39(a), 39(b), 39(c) and 42 of the Constitution are of specific importance in this regard.

Constitutional Privileges

- Equality before law for women (Article 14)
- The State not to discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them (Article 15 (i))
- The State to make any special provision in favour of women and children (Article 15 (3))
- Equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State (Article 16)
- The State to direct its policy towards securing for men and women equally the right to an adequate means of livelihood (Article 39(a)); and equal pay for equal work for both men and women (Article 39(d))
- To promote justice, on a basis of equal opportunity and to provide free legal aid by suitable legislation or scheme or in any other way to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities (Article 39 A)
- The State to make provision for securing just and humane conditions of work and for maternity relief (Article 42)
- The State to promote with special care the educational and economic interests of the weaker sections of the people and to protect them from social injustice and all forms of exploitation (Article 46)

- The State to raise the level of nutrition and the standard of living of its people (Article 47)
- To promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of women (Article 51(A) (e))
- Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat to be reserved for women and such seats to be allotted by rotation to different constituencies in a Panchayat (Article 243 D(3))
- Not less than one- third of the total number of offices of Chairpersons in the Panchayats at each level to be reserved for women (Article 243 D (4))
- Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality to be reserved for women and such seats to be allotted by rotation to different constituencies in a Municipality (Article 243 T (3))

Legal Provisions

To uphold the Constitutional mandate, the State has enacted various legislative measures intended to ensure equal rights, to counter social discrimination and various forms of violence and atrocities and to provide support services especially to working women. Although women may be victims of any of the crimes such as 'Murder', 'Robbery', 'Cheating' etc, the crimes, which are directed specifically against women, are characterized as 'Crime against Women'. These are broadly classified under two categories.

A) The Crimes Identified Under the Indian Penal Code (IPC)

- Rape (Sec. 376 IPC)
- Kidnapping & Abduction for different purposes (Sec. 363-373)
- Homicide for Dowry, Dowry Deaths or their attempts (Sec. 302/304-B IPC)
- Torture, both mental and physical (Sec. 498-A IPC)
- Molestation (Sec. 354 IPC)
- Sexual Harassment (Sec. 509 IPC)
- Importation of girls (up to 21 years of age).

B) The Crimes identified under the Special Laws (SLL)

Although all laws are not gender specific, the provisions of law affecting women significantly have been reviewed periodically and amendments carried out to keep pace with the emerging requirements. Some acts which have special provisions to safeguard women and their interests are:

- The Employees State Insurance Act, 1948
- The Plantation Labour Act, 1951
- The Family Courts Act, 1954
- The Special Marriage Act, 1954
- The Hindu Marriage Act, 1955
- The Hindu Succession Act, 1956 with amendment in 2005
- Immoral Traffic (Prevention) Act, 1956
- The Maternity Benefit Act, 1961 (Amended in 1995)
- Dowry Prohibition Act, 1961
- The Medical Termination of Pregnancy Act, 1971
- The Contract Labour (Regulation and Abolition) Act, 1976
- The Equal Remuneration Act, 1976
- The Prohibition of Child Marriage Act, 2006
- The Criminal Law (Amendment) Act, 1983
- The Factories (Amendment) Act, 1986
- Indecent Representation of Women (Prohibition) Act, 1986
- Commission of Sati (Prevention) Act, 1987
- The Protection of Women from Domestic Violence Act, 2005

4.4.3. Human Rights and Women's Right

India's Constitution makers and our founding fathers were very determined to provide equal rights to both women and men. The Constitution of India is one of the finest equality documents in the world. It provides provisions to secure equality in general and gender equality in particular. Various articles in the Constitution safeguard women's rights by putting them at par with men socially, politically and economically. The Preamble, the Fundamental Rights, DPSPs and other constitutional provisions provide several general and special safeguards to secure women's human rights.

Preamble: The Preamble to the Constitution of India assures justice, social, economic and political; equality of status and opportunity and dignity to the individual. Thus it treats both men and women equal.

Fundamental Rights: The policy of women empowerment is well entrenched in the Fundamental Rights enshrined in our Constitution. For instance:

- Article 14 ensures to women the right to equality.
- Article 15(1) specifically prohibits discrimination on the basis of sex.
- Article 15(3) empowers the State to take affirmative actions in favour of women.
- Article 16 provides for equality of opportunity for all citizens in matters relating to employment or appointment to any office.

These rights being fundamental rights are justiciable in court and the Government is obliged to follow the same.

Check Your Progress - 2

Note:

- c) Tick mark the right answer in case of question (i) and write your answer in the space given below in the question (ii) & (iii)
- d) Compare your answers with those given at the end of the units.

(i) What is the expansion of IPC?

- E. Indian Plastic Code
- F. Indian Penal Code
- G. International Penal Code
- H. Indian Practice Code

(ii) Briefly describe the history of Women's Reservation Bill

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(iii) List out the Fundamental Rights related to Women Rights

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4.5. LEGAL ASPECTS RELATED TO WOMEN

Women in India have faced significant violations of their human rights for centuries. From rape and domestic violence to forced labor and denial of educational opportunities, the struggle for rights and empowerment is a daunting one for Indian women. In the world's second-largest country, hundreds of millions of women are still affected by some of these issues. The following are the essential Legal Rights Every Indian Women Should Know

- **Right to equal pay:** According to provisions under the Equal Remuneration Act, one cannot be discriminated on the basis of sex when it comes to salary or wages.
- **Right against harassment at work:** The enactment of the Sexual Harassment of Women at Workplace Act gives you the right to file a complaint against sexual harassment.
- **Right to anonymity:** Victims of sexual assault have a right to anonymity. To ensure that her privacy is protected, a woman who has been sexually assaulted may record her statement alone before the district magistrate when the case is under trial, or in the presence of a female police officer.
- **Right against domestic violence:** The act primarily looks to protect a wife, a female live-in partner or a woman living in a household like a mother or a sister from domestic violence at the hands of a husband, male live-in partner or relatives.
- **Right to maternity-related benefits:** Maternity benefits are not merely a privilege of the working woman, they are a right. The Maternity Benefit Act ensures that the new mother does not suffer any loss of earnings following a period of twelve weeks after her delivery, allowing her to rejoin the workforce.
- **Right against female foeticide:** It is a duty imposed on every citizen of India to allow a woman to experience the most basic of all rights - the right to life. The Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act (PCPNDT) ensures her right against female foeticide.
- **Right to free legal aid:** All female rape victims have the right to free legal aid, under the Legal Services Authorities Act. It is mandatory for the Station House Officer (SHO) to inform the Legal Services Authority, who arranges for the lawyer.
- **Right to dignity and decency:** In the event that an accused is a woman, any medical examination procedure on her must be performed by or in the presence of another woman.

- **Right to property:** The Hindu Succession Act allows women and men equal share in inheritance, thereby setting new rules and regulations.
- **Right not to be arrested at night:** A woman cannot be arrested after sunset and before sunrise, except in an exceptional case on the orders of a first class magistrate.

4.5.1. Declining sex ratio

Sex ratio is an important parameter that reflects the status of women in society. Some of the worst gender ratios, indicating gross violation of women's rights are found in south and East Asian countries such as India and China. In India sex-ratio is declining it is a fact, but more important and serious thing is that with social, educational, economic development, it is declining. In 2015, the sex ratio in India was 943 females for 1000 males. Sex ratio varies from region to region. In the latest census, Kerala has 1084 females per 1000 males, making it the best state to have a good sex ratio. With a ratio of 877 females per 1000 males, the state of Haryana suffers from the lowest sex ratio. There has been a great improvement in the sex ratio of India. In 2012, India had a ratio of 940 females per 1000 males.

List of Laws/Constitutional guarantees that are relevant declining sex ratio:

- Pre-Natal Diagnostic Techniques(Regulation and Prevention of Misuse) Act,1994
- Pre-Conception And Pre-Natal Diagnostic Techniques (Prohibition of sex selection) Act 2002
- Medical Termination of pregnancy Act, 1971
- Article 21 of the Constitution - right to live
- Article 14 of the Constitution - right to equality

4.5.2. PNDT (Pre Natal Diagnostic Techniques) Act

Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act, 1994 is an Act of the Parliament of India enacted to stop female foeticides and arrest the declining sex ratio in India. The act banned prenatal sex determination. Offences under this act include conducting or helping in the conduct of prenatal diagnostic technique in the unregistered units, sex selection on a man or woman, conducting PND test for any purpose other than the one mentioned in the act, sale, distribution, supply, renting etc. of any ultra sound machine or any other equipment capable of detecting sex of the foetus. Main provisions in the act are

1. The Act provides for the prohibition of sex selection, before or after conception.
2. It regulates the use of pre-natal diagnostic techniques, like ultrasound and amniocentesis by allowing them their use only to detect :
 - genetic abnormalities
 - metabolic disorders
 - chromosomal abnormalities
 - certain congenital malformations
 - haemoglobinopathies
 - Sex linked disorders.
3. No laboratory or Centre or clinic will conduct any test including ultrasonography for the purpose of determining the sex of the foetus.
4. No person, including the one who is conducting the procedure as per the law, will communicate the sex of the foetus to the pregnant woman or her relatives by words, signs or any other method.
5. Any person who puts an advertisement for pre-natal and pre-conception sex determination facilities in the form of a notice, circular, label, wrapper or any document, or advertises through interior or other media in electronic or print form or engages in any visible representation made by means of hoarding, wall painting, signal, light, sound, smoke or gas, can be imprisoned for up to three years and fined Rs. 10,000.

Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 (PNDT), was amended in 2003 to The Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition Of Sex Selection) Act (PCPNDT Act) to improve the regulation of the technology used in sex selection. Implications of the amendment are

- Amendment of the act mainly covered bringing the technique of pre conception sex selection within the ambit of the act
- Bringing ultrasound within its ambit
- Empowering the central supervisory board, constitution of state level supervisory board / Provision for more stringent punishments
- Empowering appropriate authorities with the power of civil court for search, seizure and sealing the machines and equipments of the violators
- Regulating the sale of the ultrasound machines only to registered bodies

4.5.3. Female Foeticide

Female foeticide in India is the abortion of a female foetus outside of legal channels. It occurs in India for assumed cultural reasons that span centuries. Female foeticide has been linked to the arrival, in the early 1990s, of affordable ultrasound technology and its widespread adoption in India. Obstetric ultrasonography, either transvaginally or transabdominally, checks for various markers of fetal sex. It can be performed at or after week 12 of pregnancy. At this point, $\frac{3}{4}$ of fetal sexes can be correctly determined, according to a 2001 study. Accuracy for males is approximately 50% and for females almost 100%. When performed after week 13 of pregnancy, ultrasonography gives an accurate result in almost 100% of cases.

The Medical Termination of Pregnancy (MTP) Act, 1971, legalizes abortion – however, under certain conditions. It states that pregnancy can be terminated by at least one registered medical practitioner (if the length of the pregnancy does not exceed 12 weeks) and by at least two registered medical practitioners (if the length of the pregnancy is between 12 and 20 weeks) who are of the opinion, formed in good faith, that

- the continuation of the pregnancy shall expose the woman to risk to her life or of grave physical or mental health
- (this includes women subjected to rape, and pregnancy induced by the failure of any contraceptive device or technique used by a married couple)
- There is substantial risk that if the child is born s/he shall suffer from severe physical or mental abnormalities

4.5.4. Violence against Women

Violence against Women (VAW), also known as gender-based violence, is, collectively, violent acts that are primarily or exclusively committed against women. Sometimes considered a hate crime, this type of violence targets a specific group with the victim's gender as a primary motive. This type of violence is gender-based, meaning that the acts of violence are committed against women expressly because they are women.

4.5.5 Domestic Violence Act

The Protection of Women from Domestic Violence Act 2005 differs from the provision of the Penal Code - section 498A of the Indian Penal Code - in that it provides a broader definition of domestic violence. Domestic violence is defined by Section 3 of the

Act as “any act, omission or commission or conduct of the respondent shall constitute domestic violence in case it:

- harms or injures or endangers the health, safety, life, limb or well-being, whether mental or physical, of the aggrieved person or tends to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse; or
- harasses, harms, injures or endangers the aggrieved person with a view to coerce her or any other person related to her to meet any unlawful demand for any dowry or other property or valuable security; or
- has the effect of threatening the aggrieved person or any person related to her by any conduct mentioned in clause (a) or clause (b); or
- Otherwise injures or causes harm, whether physical or mental, to the aggrieved person.”

The Protection of Women from Domestic Violence Act 2005 is an Act of the Parliament of India enacted to protect women from domestic violence. It was brought into force by the Indian government from 26 October 2006. The Act provides for the first time in Indian law a definition of "domestic violence", with this definition being broad and including not only physical violence, but also other forms of violence such as emotional/verbal, sexual, and economic abuse. It is a civil law meant primarily for protection orders and not meant to penalize criminally.

4.5.6. Sexual Harassment at Work Place

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 is a legislative act in India that seeks to protect women from sexual harassment at their place of work. It was passed by the Lok Sabha (the lower house of the Indian) on 3 September 2012. It was passed by the Rajya Sabha (the upper house of the Indian Parliament) on 26 February 2013. The Bill got the assent of the President on 23 April 2013. The Act came into force from 9 December 2013. This statute superseded the Vishakha Guidelines for prevention of sexual harassment introduced by the Supreme Court of India. It was reported by the International Labour Organization that very few Indian employers were compliant to this statute. Indian employer's have not implemented the law despite the legal requirement that any workplace with more than 10 employees need to implement it. According to a FICCI-EY November 2015 report, 36% of Indian companies

and 25% among MNCs are not compliant with the Sexual Harassment Act, 2013. The introductory text of the Act is:

- An Act to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.
- WHEREAS sexual harassment results in violation of the fundamental rights of a woman to equality under articles 14 and 15 of the Constitution of India and her right to life and to live with dignity under article 21 of the Constitution and right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment;
- AND WHEREAS the protection against sexual harassment and the right to work with dignity are universally recognised human rights by international conventions and instruments such as Convention on the Elimination of all Forms of Discrimination against Women, which has been ratified on the 25th June, 1993 by the Government of India;
- AND WHEREAS it is expedient to make provisions for giving effect to the said Convention for protection of women against sexual harassment at workplace.
- The Act defines sexual harassment at the work place and creates a mechanism for redressal of complaints. It also provides safeguards against false or malicious charges.
- The Act also covers concepts of 'quid pro quo harassment' and 'hostile work environment' as forms of sexual harassment if it occurs in connection with an act or behaviour of sexual harassment.

4.5.7. Indecent Representation of Women (Prohibition Act)

The Indecent Representation Of Women (Prohibition) Act, 1986 (NO. 60 OF 1986): An Act to prohibit indecent representation of women through advertisements or in publications, writings, paintings, figures or in any other manner and for matters connected therewith or incidental thereto. In this Act, unless the context otherwise requires,-

- "advertisement" includes any notice, circular, label, wrapper or other document and also includes any visible representation made by means of any light, sound, smoke or gas;
- "distribution" includes distribution by way of samples whether free or otherwise;

- "indecent representation of women" means the depiction in any manner of the figure of a woman; her form or body or any part thereof in such way as to have the effect of being indecent, or derogatory to, or denigrating women, or is likely to deprave, corrupt or injure the public morality or morals;
- "label" means any written, marked, stamped, printed or graphic matter, affixed to, or appearing upon, any package;
- "package" includes a box, a carton, tin or other container;
- "prescribed" means prescribed by rules made under this Act.

Prohibition of advertisements containing indecent representation of Women: No person shall publish, or cause to be published, or arrange or take part in the publication or exhibition of, any advertisement which contains indecent representation of women in any form.

Prohibition of publication or sending by post of books, pamphlets, etc; containing indecent representation of women: No person shall produce or cause to be produced, sell, let to hire, distribute, circulate or send by post any book, pamphlet, paper, slide, film, writing, drawing, painting, photograph, representation or figure which contains indecent representation of women in any form

4.5.8. Cybercrime

Cybercrimes are any crimes that involve a computer and a network. In some cases, the computer may have been used in order to commit the crime, and in other cases, the computer may have been the target of the crime. Internet crime is crime committed on the Internet, using the Internet and by means of the Internet. Computer crime is a general term that embraces such crimes as phishing, credit card frauds, bank robbery, illegal downloading, industrial espionage, child pornography, kidnapping children via chat rooms, scams, cyberterrorism, creation and/or distribution of viruses, Spam and so on. All such crimes are computer related and facilitated crimes.

Cyber-Crime against Females With advancement of technology, the type and methods of crime are also changing. One such offensive is the increase in cyber-crime in India. One such crime is known as 'Cyberstalking'. The Delhi Police had recently registered India's First Case of Cyber-stalking." One Mrs. Ritu Kohli complained to the police against a person who was using her identity to chat over the Internet at the website. Mrs. Kohli further complained that the person was chatting on the Net, using her name and giving her

address and was talking obscene language. The same person was also deliberately giving her telephone number to other chatters encouraging them to call Ritu Kohli at odd hours. Consequently, Mrs. Kohli received almost 40 calls in three days mostly at odd hours from as far away as Kuwait, Cochin, Bombay and Ahmedabad. The said calls created havoc in the personal life and mental peace of Ritu Kohli who decided to report the matter. Consequently, the IP addresses were traced and the police investigated the entire matter and ultimately arrested Manish Kathuria on the said complaint. Manish apparently pleaded guilty and was arrested. A case was registered under section 509, of the Indian Penal Code (IPC).

Cyber stalking does not have any one definition but it can be defined to mean threatening, unwarranted behavior or advances directed by one net user to another user using the medium of Internet and other forms of online communication. It is a recent phenomenon and women generally are the main targets of this crime.

Check Your Progress - 3

Note:

- a) Tick mark the right answer in case of question (i) and write your answer in the space given below in the question (ii).
- b) Compare your answers with those given at the end of the units.

(i) What is the expansion of PNDT?

- A. Pre Natal Diagnostic Techniques
- B. Post Natal Diagnostic Techniques
- C. Pre Night Discussion Test
- D. Post Night Discussion Test

(ii) Briefly describe the Indecent Representation of Women (Prohibition) Act.

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4.6. LET US SUM UP

In Sum up, it can be said that women in India, through their own unrelenting efforts and with the help of Constitutional and other legal provisions and also with the aid of Government's various welfare schemes, are trying to find their own place under the sun. However, we are still far behind in achieving the equality and justice which the Preamble of our Constitution talks about. The real problem lies in the patriarchal and male-dominated system of our society which considers women as subordinate to men and creates different types of methods to subjugate them. For this to happen apart from Government, the efforts are needed from various NGOs and from enlightened citizens of the country. And first of all efforts should begin from our homes where we must empower female members of our family by providing them equal opportunities of education, health, nutrition and decision making without any discrimination. Because India can become a powerful nation only if it truly empowers its women. This unit describes laws related to women in various issues, history and current status of women's reservation bill, constitutional provisions according to women, human rights and women's rights, legal aspects related to women in declining sex ratio, Pre natal diagnostic techniques, female feticide, violence against women, harassment at work place and cybercrime.

4.7. UNIT END ACTIVITIES

- Mention the legal aspects launched to uplift the women in Indian society.
- Is female gender disappearing? What influence has been charged by the impact of Indian constitution and provisions according to women?
- Is Human rights are women's rights? Discuss
- Suggest some of the ways to develop the women's empowerment in India.
- List out the laws related to rape, dowry, remarriage, and divorce.

4.8. ANSWERS AS CHECK YOUR PROGRESS

1. (i) **Features of Hindu widow re-marriage Act of 1856:**
 - Widow re-marriage and the children born of such a marriage have been declared valid.
 - After re-marriage, the widow loses right over the property of her deceased husband.

- There are two views in regard to the rights of widow over the property of her deceased husband, if she changes her religion before her re-marriage. The views of the various high courts are conflicting in this regard.
- In case a widow is a minor, she will have to obtain permission from her parents or guardians for remarriage.
- In addition to these provisions, The Hindu Succession Act 1956 and the Hindu Marriage Act 1955, also contain provisions relating to widow remarriage.

(ii) Human Trafficking:

Human trafficking is a crime of crimes. It is a basket of crimes. In this basket one can dig out the elements of abduction, kidnapping, illegal detainment, illegal confinement, criminal intimidation, hurt, grievous hurt, sexual assault, outraging modesty, rape, unnatural offences, selling and buying of human beings, servitude, criminal conspiracy, abetment etc. Therefore, multiple abuse and abusers located at different points of time and place together constitute the organized crime of trafficking. A host of human rights violations like denial of privacy, denial of justice, denial of access to justice, deprivation of basic rights and dignity etc constitute other part of the exploitation. Therefore, there is no doubt that trafficking is an organized crime.

2. (i) B

(ii) **A Brief History of Women's Reservation Bill**

- 1996: Women's reservation bill is introduced as 81st Constitutional Amendment Bill by Deve Gowda government.
- 1998: The bill is re-introduced as the 84th Constitutional Amendment Bill by the Atal Bihari Vajpayee headed - National Democratic Alliance (NDA) government.
- 1999: The NDA government re-introduces the bill
- 2002: The bill fails to get clearance in the house.
- 2003: Bill is introduced twice in parliament.

- 2008: The UPA government tables the Bill in the Rajya Sabha to save from getting lapsed.
- 2010: The cabinet clears the bill and the Bill is passed by the Rajya Sabha also.

(iii) **Fundamental Rights:**

The policy of women empowerment is well entrenched in the Fundamental Rights enshrined in our Constitution. For instance:

- Article 14 ensures to women the right to equality.
- Article 15(1) specifically prohibits discrimination on the basis of sex.
- Article 15(3) empowers the State to take affirmative actions in favour of women.
- Article 16 provides for equality of opportunity for all citizens in matters relating to employment or appointment to any office.

3. (i) A

(ii) **The Indecent Representation of Women (Prohibition) Act:**

The Indecent Representation of Women (Prohibition) Act, 1986 (NO. 60 OF 1986): An Act to prohibit indecent representation of women through advertisements or in publications, writings, paintings, figures or in any other manner and for matters connected therewith or incidental thereto.

4.9. SUGGESTED READINGS

- Chatterjee, J., & McCarrey, M. (1991). Sex-role Attitudes, Values and Instrumental-expressive Traits of Women Trainees in Traditional vs Non-traditional Programmes. *Applied Psychology*, 40(3), 281-297.
- Gupta, Arun K. and K. Chander Zadoo (1999): 'Development of Women: Psychological Barriers', in Association of Indian Universities (ed), *Education and Women's Empowerment*, AIU, New Delhi.
- Misra, Santosh Kumar (1999): 'Empowerment of Women through Extension Education' in Association of Indian Universities (ed): *Education and Women's Empowerment*, AIU, New Delhi

- Pillai, J.K. (1999): 'Empowering Women in India: New Roles for Education', in Association of Indian Universities (ed): Education and Women's Empowerment, AIU, New Delhi.
- Rani, G. Vidya (1990): Status of Women Employees in Government, Mittal Publications, New Delhi
- Sharma R.K., (2004), Demography and Population Problems, Altantic Publications & Distributors, New-Delhi -110027.
- Sinha K., (January 8, 2011), Domestic Violence Linked to Deaths of 18 Lakh Girls, published in the Times of India, Pune.
- Wadekar S., (31st December, 2010), War For Equality by working women, published in Sakal Daily Marathi News Paper, Kolhapur.

