

Chapter 29

Gender Economics

Gender Egalitarianism - A Way to Gender Justice?

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Abstract

Gender justice as the full equality and equity between women and men in all spheres of life, resulting in women jointly, and on an equal basis with men, defining and shaping the policies, structures and decisions, that affect their lives and society as a whole. Gender equality is necessary in each part of life. It prevents violence against women and girls. It's essential for economic prosperity. Gender equality is when people of all genders have equal rights, responsibilities and opportunities. Everyone is affected by gender inequality - women, men, trans and gender diverse people, children and families. It impacts people of all ages and backgrounds. It determines the way of thinking, attitude, behaviour & life style of every woman. Societies that value women and men as equal are safer and healthier. When will each woman is free from the slavery of inequality? This paper tries to reflect gender injustice in everyday life of women.

Keywords: Gender justice; Equality; Constitutional provisions; Gender roles.

1. When we will realize Justice?

Gender Equality effectively addresses gender-based Violence against Women and Girls which is essential for economic progress. Studies and observations have shown that societies which give value to women and men on an equal basis are safer and healthier. Gender equality is a human right. Which benefits every individual. We need all people freed from the conditions of cultural and personal oppression such as gender-based violence and oppression to attain a sustainable and hopeful future of humanity. Gender inequality stems from the unequal power relations between different genders, mainly between men and women. It happens in conjugation with the violation of human rights thereby constraining people's choice and agency. Intersectional social and economic deprivations worsen the existing gender inequality women face, and it is an important aspect since women make up the overwhelming majority of the world's poor. Women are one of the most affected categories in war and conflict but unfortunately, they are significantly under-represented at peace tables and in governance and government structures. In addition to this, Cultural constraints also many a time hinders women's movements and thereby their access to health care. The cultural idea of valuing boy children over girl children is one of the leading causes for female foeticide and infanticide in the country. The statistics and studies have shown that Millions of girls and women are affected by female genital mutilation, early and forced marriage and gender-based violence.

Considering the case of India, as per World Bank, while the GDP rate market at 6 percent for the last two decades, the labour force participation of women has reduced 23 percent in

2019 from 34 percent in 2001. In addition to the cultural evils of child marriage, domestic violence, rapes and dowry, the ideas and ideologies of Women empowerment, gender equality and gender justice also needs to address the pay gap, workplace violence, social and cultural injustice, legal rights to work and hold property which is experiencing by crores of women all over the globe. As per World Economic Forum, around the world 3,000 girls are married before they turn 18, women spend 40 billion hours on unpaid labour in doing domestic chores in the past 50 years, women are 47 percent more likely to get severely injured in a car injury because the car safety features are designed for men and shockingly 85 countries have not had a female head of state. The facts showed from the statistics reveals unfriendly environment for women in India and some of the data based on 2011 Census data are given here; women are paid as less as a third of the pay received by men for the same or more work, more than 23 million girls drop out of school every year due to absence of toilets and lack of awareness about menstruation, girls belonging to families of top 20 percent receive an average of 9 years of education and most girls in the lower strata never even step inside a classroom and over 8 million girls were aborted in one decade.

In Indian legal systems, the culprit of rape, acid attack, and dowry related crimes or honour killing gets life imprisonment or death sentence only in rarest of rare cases. And the process takes decades to serve justice to the survivor or victim of these attacks who may never recover from the pain and shock that she has been forced to. Life imprisonment of 14 years or less may be awarded to the culprit. It is contradictory that, people are trying to set up a human colony on Mars by 2024 where gender justice remains a big question in front of humanity. Women of all geography, era and ethnicity have effaced different hindrances while they were fighting for their rights. Women have been an integral part of scientific discovery, from developing the theory of radioactivity to being a crucial part of discovering the DNA, they have engrained their achievements in every field when they were not denied of their opportunity and chance.

It is important to put more concentration by each country in the Sustainable Development Goal of gender equality 2030 to achieve women empowerment. The basis of ideas of gender equality, gender justice, women empowerment and women safety are starting from home and at the community level. Strive of women beginning from the when they start their human life. In this condition, we have to fight for our right to all equality. The Constitution guarantees all freedom irrespective of gender discrimination. India is a long way from achieving 'equality in the gender sphere and the Constitution provided a foundational basis to the idea of gender justice in India. Some of the provisions of the Indian constitution in guiding gender justice are listed below:

- Articles 14, 15, 16, 39, and 42 are the major Constitutional Provisions that speaks about gender justice in India. Article 14 provides equality before the law, or for the equal protection of laws. The equality provided herein is, therefore, two-pronged: equality before the law means that the State shall not discriminate between two citizens – every person is the same in the eyes of the law. On the other hand, equal protection of laws enables the State to undertake positive discrimination in order to bring all citizens on an equal footing.
- Article 15 (1) explicitly prohibits any discrimination based on sex; it states, 'The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.' This does not prevent the State from taking affirmative

action in favour of women. Under Article 15(3), the State is provided with the power to make special provisions for women and children.

- Article 16 provides for equality of opportunity of all in matters relating to public employment or appointment to any office; it specifically forbids discrimination on the grounds of sex. Article 16(2) reads: 'No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State.'
- Article 39 provides for securing the right to an equal means of livelihood for both men and women and in addition to that, both men and women have the right to equal pay.
- Article 42 provides for securing just and humane conditions of work and for maternity relief.

In order to meet these Constitutional Mandates, India has enacted various laws to ensure equality in the sphere of gender, women empowerment and to arrest gender discrimination. While there are various crimes defined under the Indian Penal Code, 1860 (IPC) of which both men and women can be victims (robbery, theft, murder, etc.) There are a few crimes that fall under the category of crimes against women, defined under the Indian Penal Code (IPC), 1860 which are: (i) Rape (Sec. 376 IPC), (ii) Kidnapping & Abduction for different purposes (Sec. 363-373), (iii) Homicide for Dowry, Dowry Deaths or their attempts (Sec. 302/304-B IPC), (iv) Torture, both mental and physical (Sec. 498-A IPC), (v) Molestation (Sec. 354 IPC), (vi) Sexual Harassment (Sec. 509 IPC).

2. Conclusion

In order to reduce gender injustice in real societies, the aim during the transitional phase should be to render the gender-neutral lifestyle cheaper than any gendered lifestyle. We should also aim to make every gendered lifestyle equally costly for women and men, in an attempt to counter the influence of gender norms, which provide incentives for gendered lifestyles. Some of these norms, for instance those encoded in legislation or policy, can be addressed directly. But to implement all these in our life, we have to wait yet other decade, or the world would be another planet to cultivate new attitude for Gender Equality which will provide stress free life to each woman. Let's hope for a dream world where we could feel the life of a MAN.

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