

INTERNATIONAL JOURNAL OF LAW MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

Volume 3 | Issue 5

2020

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Towards a Social Paradigm Shift:

Why just laws are not enough, and India needs a fundamental shift from traditional thinking for Women Empowerment.

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ABSTRACT

A big hindrance for women to live a healthy and fulfilling life is often due to the power relations within the society that primarily stems from traditional school of thoughts and operate at all levels of society. Therefore, it is not only important to introduce and implement laws that protect and support women empowerment and promote gender equality, but it is more important to bring about fundamental shift in people's thinking and beliefs so that women are empowered and gender-equality is realized through a collective social effort, rather than through forced legislations which would render women empowerment and gender equality spurious. It took decades to supplant the value systems of patriarchy with the attributes of empowerment and uncover several fissures in our societal structure. We are aware of this fact that the empowerment process will not occur overnight and we must acknowledge the little success that we have attained so far.

Despite of having abundant legal machinery which tends to illustrate number of legislations to protect women's right, there is a huge gulf between the enactment and enforcement of such laws. Women are still subjected to the same atrocities and injustices. Due to the underlying nuances of the male dominant structure, women in general face restrictions in terms of mobility, access to proper healthcare and education, limited decision-making authority and are more susceptible to violence, curtailing the effectiveness of these policies. The rationale behind this paper is to highlight the vulnerable and disadvantageous position of women in the society and it strongly suggests that the government must work incredibly hard to reform women's current position and attain gender equality, which will have a positive spillover impact on the country's sustainable growth.

Keywords: *Women empowerment, Gender Equality, Exploitation, Gender discrimination.*

I. INTRODUCTION

Women empowerment, autonomy and improvement of their economic, political and social status is an important step the world must take in order to achieve Gender Equality (SDG 5),

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which is one of the 17 goals of the United Nations Sustainable Development Goals. Women face threats every day in all parts of the world. Their lack of power and influence in some societies leads them to be exploited, sometimes by the legal system itself. A UN report stated, in maximum parts of the world, women obtained not as much education as men and at the same time, women's own knowledge, skills and adaptive strategy many times go unnoticed.²

A big hinderance for women to live a healthy and fulfilling life is often due the power relations within the society that primarily stems from traditional school of thoughts and operate at all levels of society. Therefore, it is not only important to introduce and implement laws that protect and support women empowerment and promote gender equality, but it is more important to bring about fundamental shift in people's thinking and beliefs so that women are empowered and gender equality is realized through a collective social effort, rather than through forced legislations which would render women empowerment and gender equality spurious.

Through the hard work of the women who paved the way for equality and the women who continue to fight for their rights and educate other women of their rights, a few pointers of sex correspondence are showing a positive change. There has been noteworthy decrease in the predominance of female genital mutilation and early marriage; there has been an increase of women representation in political and corporate chain of commands etc. However, basic issues, for example, lawful segregation, uncalled for accepted practices and mentalities, dynamic on sexual and regenerative issues are still prevalent, and undermine the ability to achieve Sustainable Development Goal 5.

In context of India, the gender gap between the welfare of men and women is significant. In 2018, India was positioned 108th in World Economic Forum (WEF) gender gap record out of 149 nations. The Gender gap index was measured across four key pillars (sub index) i.e. i) monetary chance, ii) political strengthening, iii) instructive accomplishment, and iv) wellbeing and endurance. India positioned 142nd out of 149 nations on the financial open door sub record and keeps on positioning third most minimal on the planet on wellbeing and endurance, remaining the world's least-improved nation on this sub file over the previous decade. Besides, India positions eighteenth among the most noteworthy maternal death rates on the planet with 540 passing for each 100,000 births. Just 48% of grown-up Indian ladies are proficient. Lower standing and ancestral ladies are among the individuals who experience the most significant levels of physical savagery and 85.3% of ladies revealing viciousness asserted that their present

² <https://www.unwomen.org/en/digital-library/publications/2016/12/status-of-women-in-the-united-nations-system>

spouses were the culprits. As indicated by the latest Demographic and Health Survey investigation, just 43% of at present wedded ladies (between ages 15-49) are utilized when contrasted with 99%.

Women's empowerment in India depends heavily on various factors including geography, education, social position (caste and class), and age. Strategies that focus on women's empowerment in sectors such as economic opportunities, health, political participation, gender-based violence and education do exist at the national, state and local levels, however, the degree of the actual implementation of these policies are still debatable. One key factor for the hole in usage of laws and strategies such as Articles 14 (equality before the law or equal protection within the territory of India.), 15 (prohibition of discrimination by the state against any citizen on grounds 'only' of religion, caste, race, sex and place of birth), 16 (equality of opportunity in matters of public employment), 39(a) (promotion of equal justice and to provision of free legal aid to the poor), 39 (d) (equal pay for equal work for men and women), Domestic Violence Act (2005), Sati Prevention Act (1987), Dowry Prohibition Act and Rules (1985), the foundation of the Commission on the Status on Women, at the National and State levels is the patriarchal structure of the Indian society. Due to the underlying nuances of this male dominant structure, women in general face restrictions in terms of mobility, access to proper healthcare and education, limited decision-making authority and are more susceptible to violence, curtailing the effectiveness of these policies

II. WOMEN RIGHTS AND SECURITY

Policies and legislations that specifically concern women's rights have gone on a positive direction over the previous not many years. Progressive measures that aim to propel gender orientation uniformity in social, monetary, and political fields are being prioritized. The Ministry of Women and Child Development and the National Commission for Women, an independent association under the Ministry of Women and Child Development, deal with public and state-level lawful and social approaches to propel gender fairness. The National Commission for Women has played an important role in advancing gender lensed legislations including setting up of Grievance Cells at the state level that get grumblings of sexual orientation based brutality and are ordered to explore, give referrals and directing, and at last report on such cases. Moreover, with the women's privileges development gaining traction, the requests for better laws and the responsibility for effective enforcement of these laws are increasing. For example, women's privileges activists are requesting better arrangements in Sections 375 and 376 of the Indian Penal Code.

III. ECONOMIC OPPORTUNITIES FOR WOMEN

The Global Gender Gap Report by the World Economic Forum in 2018 ranked India 142nd out of 149 countries with regards to economic opportunity and participation. Various factors such as culture, religion, ethnic diversity play a big role in women's participation in economic opportunity that are available. Furthermore, northern states such as Delhi and Punjab linger a long ways behind on sexual orientation uniformity measures, including the disturbing sex proportion among people (because of child inclination and sex-particular premature birth), low female proficiency levels, and high paces of sex based viciousness. Ladies' financial, social, and social rights (ESCR) is fundamental common freedoms, however this movement is simply developing in India. ESCR³ works to identify women's privileges inside the bigger basic liberties structure. It considers the broader issues such as housing, education, poverty, water and food security, poverty, unemployment etc. and not just violence against women and reproductive rights.

The good news is that women's economic opportunity in India is going towards a positive light as women are increasingly entering the workforce and are creating positive change and paving the way for future generations. However, there is also other workforce issues such as equal pay for equal work, sexual harassment etc. and the implementation of national and state level policies for these issues still lags.

IV. WOMEN IN POLITICS

Politics in India is complex as it is inserted in class, rank, and strict personalities. Furthermore, most nearby governments remain to a great extent male centric and station based foundations, making predispositions in administration. Moreover, social portability stays a benefit of individuals from higher classes and standing, despite the fact that this is drastically changing because of bookings for Scheduled Castes (SC) and Scheduled Tribes (ST) in governmental issues and training. The Women's Bill, who gives 33.3% booking for ladies in all degrees of Indian governmental issues, took 14 years after first experience with at last pass by the Rajya Sabha (the upper place of parliament). It is yet to be passed by the Lok Sabha (the lower place of parliament). The booking bill will guarantee 181 out of the 543 seats at the Parliament level, and 1,370 seats out of the 4,109 seats at the State Assembly level. This is a noteworthy move in the Indian political scene, as right now ladies involve fewer than 10% of seats in the public Parliament.⁴ This bill will play an integral role in advancing women's empowerment and

³ <https://asiafoundation.org/resources/pdfs/womensempowermentindiabriefs.pdf>.

⁴ https://rajyasabha.nic.in/rsnew/publication_electronic/reserv_women_pers2008.pdf.

bringing about gender equality in the country.

V. CONCLUSION

The presence of various cultural laws in India reduces the effectiveness of the implementation of the policies and legislations that are in place. These personal laws are protected by the constitution in order to assure and encourage a bottom-up legislative approach which is important in order to maintain and preserve the complexities of the diverse India society. However, these shifted social 'enactment' should be blended under an overall uniformity law, so as to bring essential standards, rights, obligations and commitments into play that would likewise cover and secure those pieces of the populace that presently don't have these assurances, because of the activity of individual laws.

Considering homegrown enactment that authorized to forestall sexual orientation violations; there are three fundamental reactions. I) most of laws were proposed by strategy creators who were men without contribution from ladies, ii) lawfulness regularly neglects to consider the social setting in which it must apply and iii) not all people have discovered that they can get to the legitimate framework. On account of India these three shortcomings are unmistakably apparent and clarify why law has not had the option to implement ladies' privileges and improve their status in the public eye at a level that it should be enforced.

Now an important question arises. What can laws do to legitimately promote changed social patterns, and how? In other words, are just laws enough? Looking at the current trend, no just laws are not enough, and India needs a fundamental shift in societal beliefs and their expectation especially when it comes to women and their rights. Women empowerment in India needs a crosscutting approach which into account complex social structure of the country. Therefore, empowerment approaches for women should not be focused solely on providing services for women, it should also about recognizing and accepting the harsh realities of the India society when it comes to the treatment of women and addressing these layers of discrimination first. As Jawaharlal Nehru rightly said, "You can tell the condition of a nation by looking at the status of its women", and so far, the condition of India does not look good. However, it can be improved, and hopefully it will improve.
