
DISCRIMINATION: INEQUALITY AGAINST WOMEN

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INTRODUCTION

Violence against women is a technical term used to collectively refer to violent acts that are primarily or exclusively committed against women. Similar to a hate crime, this type of violence targets a specific group with the victim's gender as a primary motive. Violence against women is partly a result of gender relations that assumes men to be superior to women. Given the subordinate status of women, much of gender violence is considered normal and enjoys social sanction. Manifestations of violence include physical aggression, such as blows of varying intensity, burns, attempted hanging, sexual abuse and rape, psychological violence through insults, humiliation, coercion, blackmail,

Economic or emotional threats, and control over speech and actions. In extreme, but not unknown cases, death is the result. (Adriana, 1996) These expressions of violence take place in a man-woman relationship within the family, state and society. Usually, domestic aggression towards women and girls, due to various reasons remain hidden. Essentially, violence happens in three contexts - the family, the community and the state and at each point key social institutions fulfill critical and interactive functions in defining legitimating and maintaining the violence.

- 1) The family socializes its members to accept hierarchical relations expressed in unequal division of labor between the sexes and power over the allocation of resources.
- 2) The community (i.e., social, economic, religious, and cultural institutions) provides the mechanisms for perpetuating male control over women's sexuality, mobility and labor.
- 3) The state legitimizes the proprietary rights of men over women, providing a legal basis to the family and the community to perpetuate these relations. The state does this through the enactment of discriminatory application of the law.

Violence against women is a worldwide yet still hidden problem freedom from the threat of harassment, battering and sexual harassment/assault is a concept that most of it has a hard imagining because violence is such a deep part of our cultures and over lives consider these facts:

- Battering is the leading causes of injury to women aged 15 to 44 in the U.S.
- Approximately 50% of the homeless women and children in this country are on the streets because of violence in their home.
- One fifth to one half of U.S. women were sexually abused as children at least once. Most of them by an older malrelative.
- Nearly two third women who receive public assistance "welfare" have been abused by an intimate partner at sometime in there.

SEXISM AND DISCRIMINATION

Gender inequality can further be understood through the mechanisms of sexism. Discrimination takes place in this manner as men and women are subject to prejudicial treatment on the basis of gender alone. Sexism occurs when men and women are framed within two dimensions of social cognition. Discrimination also plays out with networking and in preferential treatment within the economic market. Men typically occupy positions of power within the job economy. Due to taste or preference for other men because they share similar characteristics, men in these positions of power are more likely to hire or promote other men, thus discriminating against women. Discrimination against men in the workplace is rarer but does occur, particularly in health care professions. Only an estimated 0.4% of midwives in the UK are male and according to cbs only 1% of all trainee nurses and only 2% of Secretaries are male.

GENDER INEQUALITIES

There are many kinds of gender inequality or gender disparity which are as follows:

1. **Natality inequality:** In this type of inequality a preference is given for boys over girls that many male-dominated societies have, gender inequality can manifest itself in the form of the parents wanting the newborn to be a boy rather than a girl. There was a time when this could be no more than a wish (a daydream or a nightmare, depending on one's perspective), but with the availability of modern techniques to determine the gender of the foetus, sex-selective abortion has become common in many countries. It is particularly prevalent in East Asia, in China and South Korea in particular, but also in Singapore and Taiwan, and it is beginning to emerge as a statistically significant phenomenon in India and South Asia as well.

2. **Professional or Employment inequality:** In terms of employment as well as promotion in work and occupation, women often face greater handicap than men. A country like Japan and India may be quite egalitarian in matters of demography or basic facilities, and even, to a great extent, in higher education, and yet progress to elevated levels of employment and occupation seems to be much more problematic for women than for men. The example of employment inequality can be explained by saying that men get priority in seeking job than women.

3. **Ownership inequality:** In many societies the ownership of property can also be very unequal. Even basic assets such as homes and land may be very asymmetrically shared. The absence of claims to property can not only reduce the voice of women, but also make it harder for women to enter and flourish in commercial, economic and even some social activities.

This type of inequality has existed in most parts of the world, though there are also local variations. For example, even though traditional property rights have favoured men in the bulk of India.

4. **Household inequality:** There are often enough, basic inequalities in gender relations within the family or the household, which can take many different forms. Even in cases in which there are no overt signs of anti-female bias in, say, survival or son-preference or

education, or even in promotion to higher executive positions, the family arrangements can be quite unequal in terms of sharing the burden of housework and child care. It is, for example, quite common in many societies to take it for granted that while men will naturally work outside the home, women could do it if and only if they could combine it with various inescapable and unequally shared household duties. This is sometimes called "division of labour," though women could be forgiven for seeing it as "accumulation of labour." The reach of this inequality includes not only unequal relations within the family, but also derivative inequalities in employment and recognition in the outside world. Also, the established fixity of this type of "division" or "accumulation" of labour can also have far-reaching effects on the knowledge and understanding of different types of work in professional circles.

5. Special opportunity inequality: Even when there is relatively little difference in basic facilities including schooling, the opportunities of higher education may be far fewer for young women than for young men. Indeed, gender bias in higher education and professional training can be observed even in some of the richest countries in the world, in India too. Sometimes this type of division has been based on the superficially innocuous idea that the respective "provinces" of men and women are just different.

TYPES OF VIOLENCE AGAINST WOMEN

Human trafficking- Human trafficking is when a person is forced or tricked into working in terrible conditions. Victims of human trafficking may be kidnapped, for example. They also may be lured with false promises of a better life in a new country. A person who is trafficked may be drugged, locked up, beaten, starved, or made to work for many hours a day. Types of work a trafficked person may be forced to do include prostitution, farm work, cleaning, childcare, or sweatshop work. Ways traffickers control a woman may include:

- Making her work to pay back money they say she owes them
- Threatening to hurt her or her family
- Threatening to have her deported
- Taking away her passport, birth certificate, or ID card
- Preventing her from having contact with friends, family, or the outside world

Sometimes, a woman may end up trafficked after being forced to marry someone against her will. In a forced marriage, a woman's husband and his family can have great control over her life. They may then place her in domestic or sexual slavery against her will.

Domestic Violence - Subordination of women has led to violence under this head to rise. Incidence of domestic violence crosses all the barriers of class, income, culture and religion are in a high under reported crime. Domestic violence is one of the greatest obstacles to gender equality. It obstructs women to secure their fundamental rights to equal protection under the law and the right to life and liberty.

Rape and Custodial Rape - In most of the cases the victim is branded as a woman of loose morals. Child and adolescents rape are on the rise, about 58% are below 16 years. In recent years girl children in the age group of 6-12 years have been more victimized. Custodial rape is extremely heinous since the offenders are supposed to be Guardians of the law. Witnesses

refuse to testify against offenders or men in power, which makes it impossible for the victim to get justice.

Dating violence- Dating violence is when one person purposely hurts or scares someone they are dating. Dating violence happens to people of all races, cultures, incomes, and education levels. It can happen on a first date, or when you are deeply in love. It can happen whether you are young or old, and in heterosexual or same-sex relationships. Dating violence is always wrong, and you can get help. Dating violence includes:

- **Physical abuse** like hitting, shoving, kicking, biting, or throwing things
- **Emotional abuse** like yelling, name-calling, bullying, embarrassing, keeping you away from your friends, saying you deserve the abuse, or giving gifts to "make up" for the abuse.
- **Sexual abuse** like forcing you to do something sexual (such as kissing or touching) or doing something sexual when you cannot agree to it (like when you are very drunk).

Harassment at Work Place and Eve Teasing - Whether out of choice or out of compulsion, most of the women who are involved in the work place in all vital sectors of country's economy may fall in the unorganized sectors. They are ill-paid but don't leave the job due to increasing unemployment. This need for survival drives to rape situations. Harassment at work place is all pervasive.

Drug Related Violence - An alcoholic beats his wife and children. There are number of incidences where under the influence of alcohol a Father raped his own Daughter. Alcoholism increases violence and therefore family interruption takes place.

Dowry Related Violence - The practice of demanding dowry has spread so much. For that, death by burning is often punishment for the innocent young girls who is unable to satisfy the greed of her in-laws. Most of the women burnt by their in-laws or take the decision of suicide for dowry related tortures.

Violence against women with disabilities - Research suggests that women with disabilities are more likely to suffer domestic violence and sexual assault than women without disabilities. And women with disabilities report abuse that lasts longer and is more intense than women without disabilities. Like other women, women with disabilities usually are abused by someone they know, such as a partner or family member. In addition, women with disabilities face the risk of abuse by health care providers or caregivers. If you are being abused by someone you rely on to take care of you, you may feel trapped.

Abduction and Kidnapping- Kidnapping and Abduction laws vary from state to state, but generally apply to anyone who without lawful authority, forcibly seizes and confines another, with intent to cause such other person to be secretly confined or imprisoned against his will.

Sexism in the Workplace - From being sexually harassed by male colleagues to women getting paid less for the same jobs to preferential treatment given by male bosses to more compliant women, whom they don't consider a threat, to stronger female colleagues being

undercut for openly challenging the conventional gender roles they are supposed to conform to, to discussing female colleagues or making jokes about them in a denigrating manner, gender discrimination exists to some degree in most workplaces.

PROGRAMS FOR WOMEN UPLIFTMENT:

National Literacy Mission launched in 1988, aimed at attaining a literacy rate of 75 per cent by 2007. It imparts functional literacy to non-literates in the age group of 15–35 years. The *Total Literacy Campaign* is the principal strategy of the NLM for eradication of illiteracy. The *Continuing Education Scheme* provides a learning continuum to the efforts of the Total Literacy and Post literacy programs.

The Sarva Siksha Abhiyan was launched in 2001 to ensure that all children in the 6–14 year age-group attend school & complete eight years of schooling by 2010. An important component of the scheme is the *Education Guarantee Scheme & Alternative & Innovative Education*, meant primarily for children in areas with no formal school within 1 km radius. The centrally sponsored *District Primary Education Program*, launched in 1994, had opened more than 160,000 new schools by 2005.

Non-governmental efforts, The bulk of Indian illiterates live in the country's rural areas, where social and economic barriers play an important role in keeping the lowest strata of society illiterate. Government programs alone, however well intentioned, may not be able to dismantle barriers built over centuries. Major social reformation efforts are sometimes required to bring about a change in the rural scenario. Several NGOs such as ITC, Rotary Club, Lions Club have worked to improve the literacy rate in India.

The M. S. Swaminathan Research Foundation, MSSRF, in Chennai, India has piloted a path-breaking project, in the tiny coastal state of Pondicherry. The project, being run by the foundations Rural Technology Centre, has helped local women become computer-literate and in the process, empowered them.

Nari Raksha Samiti (NRS), an Indian social welfare organisation devoted to improving the lives of poor and destitute women. Founded fifty years ago to help women in distress, NRS focuses on promoting the safety and security of women, family welfare, employment, health, and training in job-oriented professions. The Samiti has twenty centers headed by volunteers. In the starting, Integrated Rural Development Program (IRDP) was only a single program related to the Self-Employment. In the later years, many Self-Employment Programs like Development of Women and Child in Rural Areas (DWACRA), Supply of improved Implements to Technicians of Rural Areas (SITRA) and Ganga Kalyan Yojna (GKY) along with Training for Rural Youth for Self Employment (TRYSEM) were started. Being a large number of these development programs there was a lack of co-ordination to implement them effectively. These all programs were implemented separately. That's why these were not considered as a whole or parts of an integrated program. To improve the above situation, Govt. decided to re-organize these programs. A new program, "Sawarn jayanti Gram Sawrozgar Yozna" (SGSY) was started in April, 1999.

It is an integrated program which consists of all components of Self-Employment, such as organization of poor people in the form of Self Help Groups (SHG's), training, loaning, technology, establishment of basic infrastructures and marketing for rural people etc. It was decided that Center and State Governments would provide funding for this program in the ratio of 75:25. The programs like IRDP, TRYSEM, SITRA, GKY and Child and Woman Development Program in Rural Areas are not in use at present. The remaining funds of these programs up to 01.04.1999 have been used under the heads of the SGSY accordingly. The ultimate aim of SGSY is to uplift the socio-economic status of poor people in rural areas, especially poor women and to bring them above the poverty line.

LAWS AND LEGISLATION FOR WOMEN

In India, several laws, legislations, policies and institutional reforms have been enacted to carry out the gender action plan for the development of women. Legislation is an important instrument for bringing about a change in the unequal economic and social status in India. In pre-independent India, few laws were passed in response to social demands and on the basis of humanitarian consideration.

They are Bengal Sati Regulation Act of 1829 and similar Anti-Sati laws in Madras and Bombay, Hindu Widow Remarriage Act 1856, the Hindu Women's Right to Property Act in 1937, (The Muslim Personal Law) the Shari at Act 1937 and the Dissolution of Muslim Marriages Act 1939.

After Independence, there have been important changes in legislation and litigation which have facilitated the increased participation of women in political activities as well as in the socio-economic development activities and the increase appear to be more likely at the lower level than at the highest centre of decision making. Article 14 of Indian Constitution says that the state shall not deny to any person equality before or equal protection of the law, Article 15 says that no women can be discriminated against on the ground of sex, Article 15 (3) emphasis that the state shall make special provisions for women and children and Article 16 provides equality of opportunity in matters relating to employment by the state. In Article 39(a) emphasis that the citizens men and women equally, have the right to an adequate means of livelihood, in Article 39(d) it says that the state should secure equal pay for equal work for both men and women and in Article 34 it provides that the state shall make provision for securing just and humor humane for work and for maternity relief. The 73rd and 74th Amendments of Indian Constitution in 1993 are the milestone in the history of India, which provides lot of powers for the local bodies.

CONCLUSION

The most significant factor in continued use of law to enforce patriarchal privilege is that men still control not only the legal process and the interpretation of laws, but also the subject matter and vantage point of law. If the subject matter of law is male concerns and if the perspective employed within the legal process are those of men, then women should actually have no reason to expect that mere reform of existing law will materially improve the condition of women. This is particularly true when attempts to improve the statutes of women

are made through incremental reforms that are not grounded in an understanding of how women's oppressions are constructed. Reforms of rape law will not materially improve the status of women when the point of rape laws is no enforcement. It has been shown that law is strictly restricted in its capacity to deliver gender justice, which in itself is contingent on the nature of law and its functioning. In this connection it is worthwhile to recall that the law itself is not a monolithic entity, which simply progresses or regresses. Historically, the development of law has been an uneven one. That is to say, more than not, what law promises on paper cannot carry through in reality. That is why law-as-legislation and law-in-practice are most of the time in contradiction with each other. To cite an example, the Indian constitution explicitly enshrines formal equality for women. However, the lives and experiences of Indian women relentlessly continue to be characterized by substantive inequality, inequity and discrimination.

**“Educate a man, you educate one person, educate a woman,
you educate a complete family.”**

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