

Speech on Gender-Based Discrimination in India

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It is paradox of our Indian society, that on one side we worship the women Goddesses and on the other we meet out sub-human treatment to the women. In Indian society the position of the women has been always looked as less important than the male person.

Since the time of Ramayana and Mahabharata women have always been easy victims of gender-based discrimination.

Though after independence, women are becoming more self-reliant but still the problem of aggression against women by powerful continues, only mode of such aggression or discrimination has changed to some extent.

Gender bias is widely prevalent throughout women's life span. Indian women have become an easy prey for discrimination and aggression based on gender.

It is observed that gender based discrimination is started by the family members from the time of birth. A female child does not usually receive the same attention and affection that is bestowed upon a male child in Indian families. A boy arrives to the sound of joyous conch shells and girl's birth in many parts of the country is greeted with silence, even sorrow.

A woman is still considered a burdensome appendage. Girls are treated as economic drain. She must be exploited or dispensed with a non-person because she crushes her family with marriage and dowry expenses.

The problems of major importance for women are linked with families, especially problem of discrimination and aggression for women are linked with marriage. Various issues like age at marriage, procedures for contracting and executing marriage, customs of dowry and bride-wealth; divorce, separation, widowhood and female-foeticide and female infanticide and remarriage speak about the status of women.

Family in India largely exists in the framework of patrilineal descent. Such families put great emphasis on adjustability in the socialization of girls. Women had to follow the Holy Scriptures in which they were told to get happiness by submissiveness and in reality; women rarely had an identity apart from the one given to them as wives, mothers, and daughters. Although they were worshipped as deities, at home they were treated as second class members of family.

The women confront constraints due to distinction between men's sphere and women's sphere and between masculine and feminine roles. Woman is primarily associated with the home and man with the outside world. The home-makers, the women look after domestic chores. Women's contributions go unrecognized, unnoticed and unpaid.

Women's poor status in independent Indian is reflected from various events as well.

For instance, the suicide by female is on the increase day by day.

Dowry deaths are the best examples of gender aggression; it always shows facial cruelty against women in India. Only for the money a bride is set on fire, poisoned or even brutally murdered even if she is not killed, she is tortured verbally and sometimes driven out of the house or driven to commit suicide by in-laws. Women are very easy victims of powerful aggression.

Rape is a crime against basic human rights and is also violative of the victim's most cherished fundamental rights.

The instances of rape are increasing day-by-day. But only few are registered because of fear of social stigma and so the instances of rape, gang rape, marital rape are enhanced.

Most women are scared of a police station which is the last place they would go to, if they were in trouble because there are many cases of rape by police. Custodial rapes happen in India and it is a worst aggression towards women as assault by those who are supposed to be the guardian of women.

Prostitution is a result of gender based aggression. The trafficking of women, young girls at international level continues to be a global problem because woman is viewed solely as a sex object and as an outlet for man's baser instincts.

One of the evils of the modern society is the sexual harassment caused to women particularly the working women or even student in college or in higher education by their male counterparts or seniors at work places or in educational institutions, respectively.

In India there is a lack of insurance against future hazards for women, religious practices, rituals, scriptures and precepts are still the forces which continue to create women's existing secondary status in society. The traditional attitude towards women persists even now. Many leaders, intellectuals and enlightened persons believe till today the primary duty of women to be the proper management of home.

It is also true that there are various legislations present for improvement of status of women. Since the time of Manu, law has always accorded special protection to women. This is because of their physical structure, social status and conditions of the Hindu society.

The Constitution of India radically and deliberately departs from the traditional inferior position of women in the society and treats every woman equal to man as citizen and as an individual in the democratic system.

According to Articles 14, 15, 16, 17, 19, 20 and 21 fundamental right of equality available to women in India as also directive principles of state policy relating to "woman-specific" concern woman directly and have a very special bearing on their status.

In order to achieve the objectives in fundamental rights and to fulfil aim of preamble of constitution, number of laws was enacted by the Government of India after independence. Not only this, some special welfare schemes were also initiated for women to better their economic condition, to increase their earning capacity, to extend the medical facilities and to help them to improve their knowledge and personality There are some special legislations enacted by our Parliament especially to protect the interest of women. Such as Dowry Prohibition Act, 1961.

(1) The Suppression of Immoral Traffic in Women and Girls Act, 1956 and amendment of this Act in 1986 and now it is Prevention of Immoral Traffic in Women and Girls Act.

(2) Maternity Benefit Act, 1961.

(3) The Indecent Representation of Woman Act, 1986, etc. All the above Acts are enacted to eradicate gender bias and discrimination against women.

(4) Protection of Women against Domestic Violence Act.

Under the Indian Penal Code, there are also some special provisions enacted for women in order to protect them from exploitations.

Now it appears that the Indian Legislature is fully conscious about the need to protect the interests of women and to give them a status equal to their male counterparts in the society but in spite of all these efforts, the position of women has not improved and still the discrimination is continued and it is concluded that present legislation is not adequate to cope up with the problem of female foeticide.

Though there are various legal provisions available, and women have various fundamental rights but the discrimination, aggression against women is not eradicated totally because the present legislation is not adequate to cope up with the problems of gender bias in spite of various dowry, rape laws.

There is an alarming increase of such instances. Law is blatantly ignored and in reality every legal measure is feeble to tackle the gender-bias. Present laws in statute book are only ornamental and ineffective and enforcement aspect of laws generally remains neglected and needs improvement.

The judiciary also, in its own turn has helped in the process of equalization between men and women after independence, to achieve the most sacred object of the Constitutional Mission of equalization but could not achieve it fully due to the following reasons:

- (1) Economic backwardness and lack of community support for women seeking justice against discrimination.
- (2) Indifferent and hostile attitude of law enforcing agency.
- (3) General ignorance of law, and ignoring the socio-economic implications of laws, and
- (4) Finally, the most important reason is the social attitude of discrimination against woman.

It includes illiteracy, traditional values and dominant position of males, superstitious nature of Indians, religious practices, economic dependence of women (particularly in rural area), tradition of dowry in Indian society and the desire of son, etc.

The problem of women is the problem of society as a whole. So if gender-bias increases day-by-day, it affects the society at large and there is a danger of social disorganization and it is the worst condition for a well organized society.

Finally, it is concluded from the foregoing discussion that woman, whether educated or uneducated, rich or poor is not conscious of her own identity in India which is as indispensable for progress as a man's. She is unable to recognize her role in resolving her problems because of the prevalence of Indian social systems.

And so it is recommended that, the effective campaign against discrimination need to include the complete agenda of a civic society. A broader agenda of social transformation and cultural renaissance with a more democratic space and outlook is required where girls and women can live with dignity and pride and it is all possible through public education and so social campaign should be organized to create social literacy.

And, the conditions which perpetuate gender inequality need to be changed with a sense of urgency. Need for state intervention through appropriate legislations is necessary as law fails to deliver justice resulting from its sexist interpretation by biased functionaries. There is an urgent need to enact strict, rigorous punishments in present legislations to eliminate aggression and discrimination against women.