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**Course
on**

Gender Justice and Workplace Security

by

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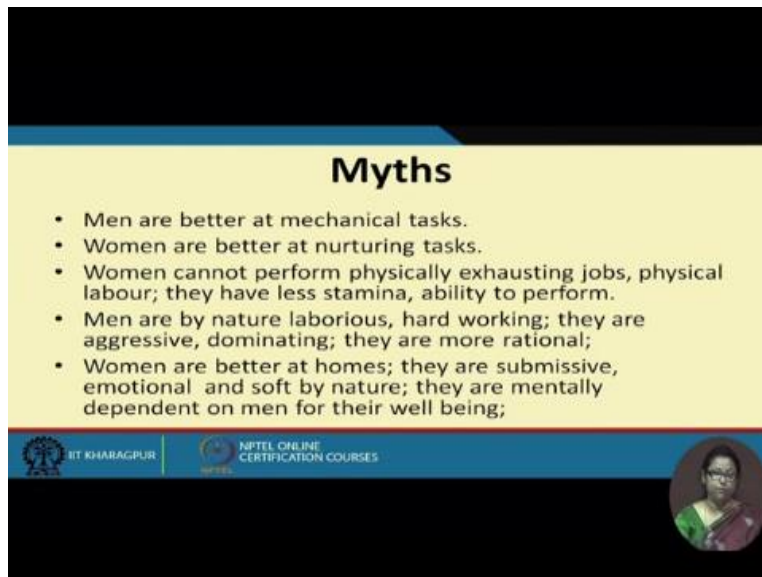
**Rajib Gandhi School of Intellectual Property Law
IIT Kharagpur**

Lecture 03: Introduction to Gender Justice (Contd.)

Hello dear students I welcome you to this course on gender justice and workplace security we were discussing the introductory module of the course, and in the process we have tried to introduce the concepts of sex and gender the difference between them, how gendered socialization happens in society and began the stereotyping which tends to differentiate between man and women and thereby tend to make one group superior to the other to continue with the discussion when we said that there is a typical differentiation which happens in society. We can look into some of the myths which go with this gendered stereotyping.

Which happens in society thus, when we speak of man we tend to look into or view certain characteristics or certain qualities as being natural to him and certain which are natural to her and there is a sort of a difference which we attribute to it and also a different value which we attribute to both the activities, thus to say men are better at mechanical tasks.

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The slide is titled "Myths" in a bold, black font. It contains a bulleted list of five common gender stereotypes. The slide has a yellow background for the text area, a blue header bar, and a blue footer bar. The footer bar includes the logos of IIT Kharagpur and NPTEL, along with the text "NPTEL ONLINE CERTIFICATION COURSES". A small circular portrait of a woman is located in the bottom right corner of the slide.

Myths

- Men are better at mechanical tasks.
- Women are better at nurturing tasks.
- Women cannot perform physically exhausting jobs, physical labour; they have less stamina, ability to perform.
- Men are by nature laborious, hard working; they are aggressive, dominating; they are more rational;
- Women are better at homes; they are submissive, emotional and soft by nature; they are mentally dependent on men for their well being;

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This is the general perception or viewpoint of society where it is felt that those tasks which require more mechanical doing of work they come naturally and better to men, now women on the other hand as we said before the rearing of children the nurturing etc. Are automatically viewed as feminine jobs so therefore it is felt that women are better at nurturing tasks the it comes from a perception that women can do certain kinds of jobs and cannot do certain others because probably they are the feeling is that they are weak they are timid they do not have that much stamina they do not have that much ability and sometimes it also goes to the extent of saying that.

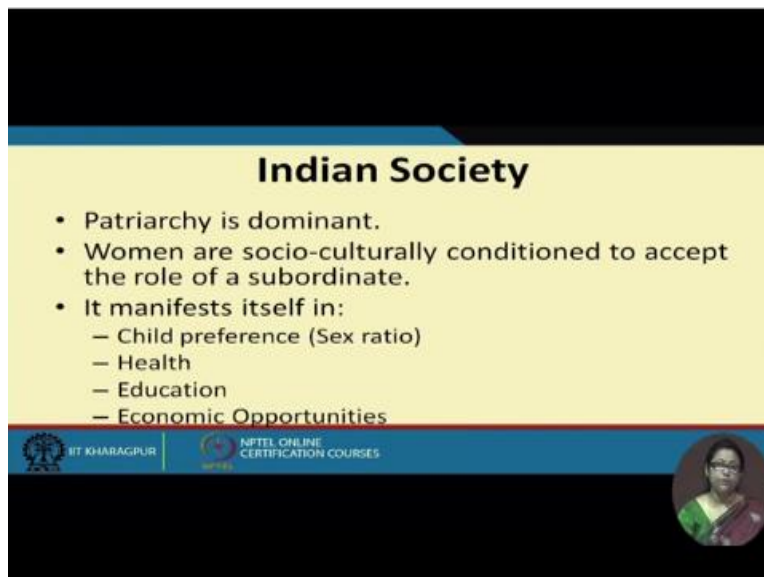
They do not have that much of intelligence to perform certain categories of works so maybe as an example if one looks into physically exhausting jobs, then in laborious tasks or physical jobs it is always felt that women should be left out of those jobs because they do not have the capabilities to cope up with these requirements it is more for a man who by nature is laborious is hard-working, aggressive, dominating and even more rational and therefore they can be better or they can do better in certain types of activities.

Women are better at homes they are submissive emotional soft by nature they are mentally dependent on men for their well-being, now as I have captioned it these are basically myths, myths which have stemmed out from this gender stereotyping which has happened over generations and centuries and which make us to believe that one group can do certain things which the other group is incapable of, very recently there was this discussion of engaging women in combat jobs in the defense.

Somewhere traditionally speaking it was thought of as being most unsuitable for women to be employed in such jobs, but as we see with the changing times there is a breaking down of these barriers or the these myths which are there in the minds of a person and with the breakdown of these myths, we are finding more and we have more women coming and joining activities which till then were thought to be only male-dominated or which the men could only do. So therefore this is how somewhere the myths go on to working a long way in clouding the mind of people the society.

Into believing that there exists a difference when there does not exist other than the physical difference but the society makes us to believe that in the behavior in the attitudes in the values in the roles there do exist are difference between men and a woman because of which one should conform to one certain type of behavior, while the other should conform to some other type of behavior.

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Indian Society

- Patriarchy is dominant.
- Women are socio-culturally conditioned to accept the role of a subordinate.
- It manifests itself in:
 - Child preference (Sex ratio)
 - Health
 - Education
 - Economic Opportunities

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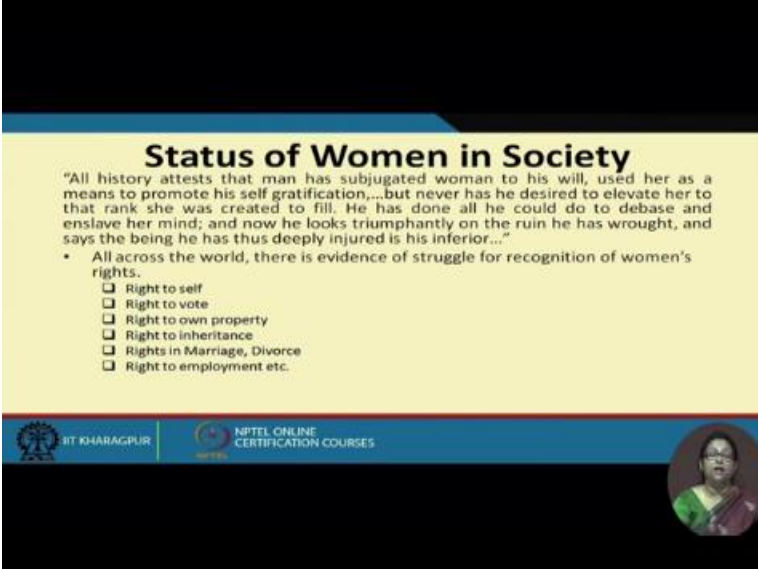
Now in this context one can look into the existing Indian society what is the position of women in Indian society, now to start with one can say that it is always in a process of change so one or I would not stress on the fact that for all periods of time it has remained the same or it has not made any change, but have we been able to remove all the differences the answer to that would be no and therefore even today what we find is patriarchy is largely dominant in Indian society, somewhere there is an understanding or a belief of the superiority of the men whether in the family or in the society over women and in all sectors one finds this dominance of patriarchy now women also in this society are culturally conditioned to accept the role of a subordinate.

Why do we come to that conclusion we come to that conclusion if we look into the situation of women which maybe manifests in the child preference health education economic opportunities etc. If we look into all of these or some of these one can clearly understand that there is somewhere a preference for the male over the female valuing remain over the female, so with regards to a simple choice of a child there is always a preference for the male child over the female child, as we spoke of in the very first lecture with regard to female feticide that basically comes from the preference of the male child over the female child though.

we know that sex determination is not permissible in many situations families illegally, go on for such sex determination there are abortions which take place there are killing of fetuses which take place because somehow the family does not want a girl child but would prefer to have a male child, in the matters of health in the matters of education and definitely in issues of economic opportunities, the possibilities and situations for men and women are completely different and therefore probably one can somewhere say that in Indian society, we are not still in a situation where.

We have achieved equality of both the sexes but there is a sharp difference when it comes to certain categories of women and the situation is even worse for women of different classes of different religions of different groups or you know disabled women etc. The situation is more adverse.

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Status of Women in Society

"All history attests that man has subjugated woman to his will, used her as a means to promote his self gratification,...but never has he desired to elevate her to that rank she was created to fill. He has done all he could do to debase and enslave her mind; and now he looks triumphantly on the ruin he has wrought, and says the being he has thus deeply injured is his inferior..."

- All across the world, there is evidence of struggle for recognition of women's rights.
 - ☐ Right to self
 - ☐ Right to vote
 - ☐ Right to own property
 - ☐ Right to inheritance
 - ☐ Rights in Marriage, Divorce
 - ☐ Right to employment etc.

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So if we want to therefore look into the status of women in society in this regard we will try to understand what is the position of women in Indian society in particular, and for that matter will go back slightly into history and then proceed further to see what has been the changing position of women over the years, now this is one of the codes which is there and which goes to show that

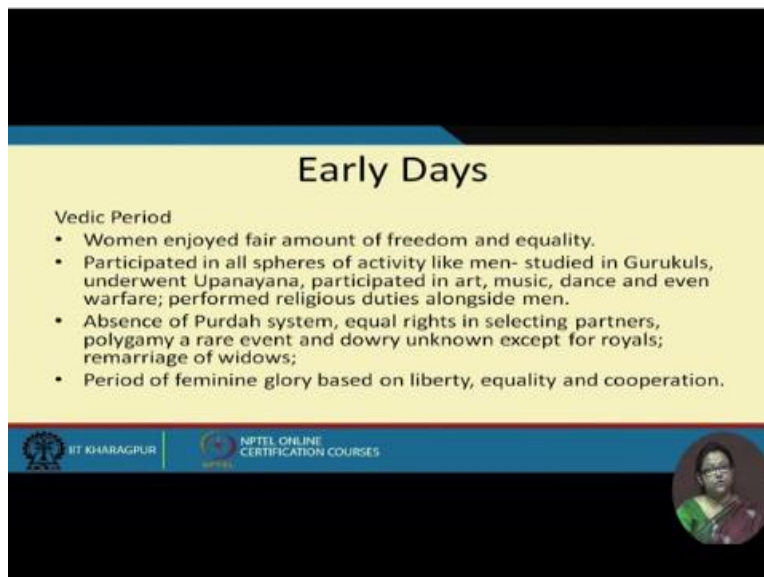
throughout history this issue of discrimination the issue of inequality the issue of inferiority has been constantly perpetrated by the society. And it has therefore residing in a situation where today we find it very difficult.

To attribute the concepts of equality liberty freedom or to the women it says that all history attests that men has subjugated women to his will used her as a means to promote his self gratification, but never has he desired to elevate her to the rank she was created to fill he has done all he could to debase and enslave her mind and, now he looks triumphantly on the ruin he has wrought and says the being he has dust endured is he is inferior. So the story in terms of history has been the same one of subjugation of man subjugation of women, by man and therefore the entire story of a struggle of women's rights has been one of constant struggle with regard to the various inequalities.

Which were facing here the bail be various denial of rights which she was faced with, so the right to the self the right to vote right to own property, right to inheritance, right to marriage divorce etc. Right to employment in and many others, in each of these there has been a constant struggle to secure her rights and this trouble has been really difficult spaced over maybe centuries and in some cases even today it is a struggle which is continuing, just as an example in some nations women did not have the right to vote something.

Which impress times we find it but natural that everyone in a society in a state must be given the right to caste food, but you had nations where after a long war or along struggle women were given the rights because earlier it was felt that women were not citizens, and therefore they could not be granted the right to vote. Similarly the right to own property that has also been the result of a constant struggle of women which even India in some situations; we have seen where the daughter in the family was not given a share in the property however in the process of legislative and judicial developments there it has now come to a position of somewhere equality being addressed in the process.

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Early Days

Vedic Period

- Women enjoyed fair amount of freedom and equality.
- Participated in all spheres of activity like men- studied in Gurukuls, underwent Upanayana, participated in art, music, dance and even warfare; performed religious duties alongside men.
- Absence of Purdah system, equal rights in selecting partners, polygamy a rare event and dowry unknown except for royals; remarriage of widows;
- Period of feminine glory based on liberty, equality and cooperation.

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To see the status of women we will try to see it since the very beginning where in Indian society we generally divided into certain periods the early Vedic period the later Vedic period the medieval period and we are after British India and they are after independent India. This is just to give an understanding as to what has been the changing position of women, over the ages and whether what we now say as a position of in equality as a position of inferiority whether that has been the position of women in Indian society in the whole period of time.

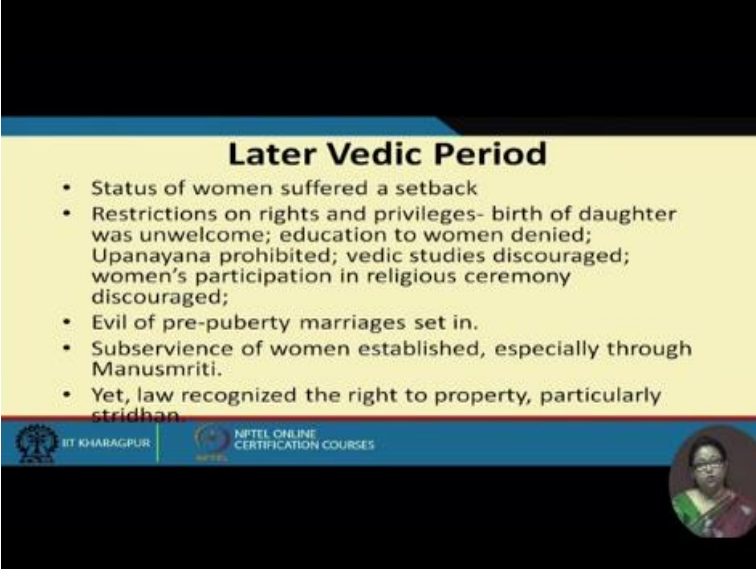
If one sees into early Vedic period, one would find a different picture now generally literature and historians have given many accounts with regard to the position of women in different literature, and from that one can get an idea that in the early Vedic period somewhere women had a fair amount of freedom and equality, it is seem that in that situation or in that period women participated in all spheres of activity like men studied in Gurukuls underwent Cooper Nana participated in art music dance and even warfare performed religious duties alongside many.

So she was in the same position in terms of her valor in terms of the activities that she was entitled to do and in terms of pursuing education in terms of the rituals and religious practices

that a man was entitled to there was somewhat, an equality or a sense of equality which prevail in that situation, the in practices which we call of per the system did not exist in the early Vedic period there were equal rights in selecting partners, polygamous was a real event in those times and dowry was somewhat unknown except for Royals the concept of remarriage of widows was also known.

So therefore this also goes to show that many of the evils which penetrated into the system or the society at a later point of time was non-existent during the early days, and situations of you know freedom in choosing partners etc. Where available to women it was therefore identified as a period of feminine glory based on Liberty, quality and cooperation. So that was the starting point where we have some literature of the early Vedic period indicating towards the equal position of men and women.

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Later Vedic Period

- Status of women suffered a setback
- Restrictions on rights and privileges- birth of daughter was unwelcome; education to women denied; Upanayana prohibited; vedic studies discouraged; women's participation in religious ceremony discouraged;
- Evil of pre-puberty marriages set in.
- Subservience of women established, especially through Manusmriti.
- Yet, law recognized the right to property, particularly stridhan.

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In society somewhat things took a turn for the worse as in the later Vedic period, now it is where the evils in the system it perpetrated and it went on to grow over a period of time, now many a times we refer to the monastery tea and the sayings of Manu which indicate towards the inferior or lower status of women in society, such as a woman should always be under the dominance of

a male member etc. So these were a part of the later Vedic period where the status of women suffered a setback, now what happened was there were various restrictions which were imposed on the rights and privileges of a woman.

So the issue of that the birth of a daughter was unwelcome started during those times where there was a basic difference made out between a son and a daughter, and therefore the burdens and liabilities which come with the daughter were emphasized upon and therefore the birth of her daughter was unwelcome in this family now whereas in the early period there was the issue of educating the girl child along the male child along with the male child in this period education to women was denied Upanayana was prohibited Vedic studies were discouraged women's participation in religious ceremonies etc.

Were discouraged the evil of pre-puberty marriages set in this was also therefore the time where early marriages or as child marriages started to make its way in the only very period there are various examples of women remaining married of women exercising their choice of whom to marry when to marry, but in the later very period there was this situation where this child was no longer exposed to education where kept illiterate within the domain of the house and we were married of very early in life.

The subservience of women was established yet in those situations also we find some indications that the law recognized the right to property especially the concept of freedom as property which is existent was there even during those times, never the less there was a major change or a major shift from the early Vedic to the later Vedic period where gradually the lowering of the position of women started.

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Medieval & British Period

- With invasions, position of women deteriorated.
- Women were put behind veil, movements restricted; sati, child marriage, female infanticide, dowry, polygamy, devadasi system thrived.
- British regime brought in a change – education and western influence brought in new ideas of liberty, equality, respect;
- Two movements contributed to the position of women- Social reform Movement (19th century) and Nationalist Movement (20th century).
- Sati, ill treatment of widows, widow remarriage, child marriage, denial of property rights, education, temple prostitution etc.
- An awareness created for removal of social malaises.

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Then came the medieval period now the medieval period as we know is marked by various conquests and innovations by different outside people into the country or into the what we now call as India, and therefore with these invasions what happened the position of women further deteriorated because with the innovations it was these innovations were seen as a major threat to the well-being of women to the safety of women and therefore women were further you know put behind the walls and there every sort of movement.

Were restricted so they were put behind wave what we have as the perda system the movement work women were seriously restricted, now this was the time where various years gradually came to ham it is hold on Indian society the system of Sati the system of child marriage female infanticide dowry polygamous devadasi system etc. Started to make its way so all the evils which were existent in society now became very prominent because there was a big question with regard to protecting the women from the invaders.

And in the process of protecting the women, women were pushed to the corners to a situation where all rights old freedoms and old liberties were taken away from them, and they were left with nothing except for being an inferior class or except for being similar to maybe leave the

property of man and they were subjected to various evils. Now with the coming of the British there was a change in the system or a change in the perception because there were Western influences and education which came to breathe fresh air into the entire societal understanding.

And belief so therefore for the first time concepts of liberty equality made its way and there were major movements which took place the social reform movement the nationalist movement etc. Which took place and these tried to address the issues of rights of women and try to improve the position of women in society as we know it is also during the British period that many of the years which were existent one prominent being the practice of sati burning the woman in the funeral pyre of her husband, was predominant and something which was continuing at a mass level indifferent parts of the country.

That came to be addressed under the leadership of certain Indians and along with the British were certain laws were passed in the country which tried to prohibit this practice and penalize the offenders who worked or force the women to burn herself in the funeral pyre, so sati ill treatment of widows weed or marriage child marriage denial of property rights education temple prostitution referring more to the system of devdasi ease all wear or many of them were thought to be addressed by the changing laws or by the changing perceptions with regard to the liberty or equality which were brought by the British system of education.

And the British reformist movement so a sort of awareness was created in this process whereby the rights of women were sought to be established, however much remain to be done it was only a third starting point and not that there were there were a major difference which could be brought about in the process but this was definitely a starting point with regard to understanding that the heater to existing position of women needs, to be specifically addressed and changed and it is important that her rights need to be recognized in society.

So therefore once we have understood the background with regard to the status of women in society we can then move forward with regard, to what is the existing position and rights of women in society as of now so we will continue with this in the next lecture.