

ISSN: 2582-6433



INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS

Open Access, Refereed Journal Multi Disciplinary
Peer Reviewed 6th Edition

VOLUME 2 ISSUE 7

DISCLAIMER

No part of this publication may be reproduced or copied in any form by any means without prior written permission of Managing Editor of IJLRA. The views expressed in this publication are purely personal opinions of the authors and do not reflect the views of the Editorial Team of IJLRA.

Though every effort has been made to ensure that the information in Volume 2 Issue 7 is accurate and appropriately cited/referenced, neither the Editorial Board nor IJLRA shall be held liable or responsible in any manner whatsoever for any consequences for any action taken by anyone on the basis of information in the Journal.

Copyright © International Journal for Legal Research & Analysis



IJLRA

EDITORIAL TEAM

EDITORS

Megha Middha



Megha Middha, Assistant Professor of Law in Mody University of Science and Technology, Lakshmangarh, Sikar

Megha Middha, is working as an Assistant Professor of Law in Mody University of Science and Technology, Lakshmangarh, Sikar (Rajasthan). She has an experience in the teaching of almost 3 years. She has completed her graduation in BBA LL.B (H) from Amity University, Rajasthan (Gold Medalist) and did her post-graduation (LL.M in Business Laws) from NLSIU, Bengaluru. Currently, she is enrolled in a Ph.D. course in the Department of Law at Mohanlal Sukhadia University, Udaipur (Rajasthan). She wishes to excel in academics and research and contribute as much as she can to society. Through her interactions with the students, she tries to inculcate a sense of deep thinking power in her students and enlighten and guide them to the fact how they can bring a change to the society

Dr. Samrat Datta

Dr. Samrat Datta Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Samrat Datta is currently associated with Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Datta has completed his graduation i.e., B.A.LL.B. from Law College Dehradun, Hemvati Nandan Bahuguna Garhwal University, Srinagar, Uttarakhand. He is an alumnus of KIIT University, Bhubaneswar where he pursued his post-graduation (LL.M.) in Criminal Law and subsequently completed his Ph.D. in Police Law and Information Technology from the Pacific Academy of Higher Education and Research University, Udaipur in 2020. His area of interest and research is Criminal and Police Law. Dr. Datta has a teaching experience of 7 years in various law schools across North India and has held administrative positions like Academic Coordinator, Centre Superintendent for Examinations, Deputy Controller of Examinations, Member of the Proctorial Board



Dr. Namita Jain



Head & Associate Professor

School of Law, JECRC University, Jaipur Ph.D. (Commercial Law) LL.M., UGC -NET Post Graduation Diploma in Taxation law and Practice, Bachelor of Commerce.

Teaching Experience: 12 years, AWARDS AND RECOGNITION of Dr. Namita Jain are - ICF Global Excellence Award 2020 in the category of educationalist by I Can Foundation, India. India Women Empowerment Award in the category of "Emerging Excellence in Academics by Prime Time & Utkrisht Bharat Foundation, New Delhi.(2020). Conferred in FL Book of Top 21 Record Holders in the category of education by Fashion Lifestyle Magazine, New Delhi. (2020). Certificate of Appreciation for organizing and managing the Professional Development Training Program on IPR in Collaboration with Trade Innovations Services, Jaipur on March 14th, 2019

Mrs.S.Kalpana

Assistant professor of Law

Mrs.S.Kalpana, presently Assistant professor of Law, VelTech Rangarajan Dr. Sagunthala R & D Institute of Science and Technology, Avadi. Formerly Assistant professor of Law, Vels University in the year 2019 to 2020, Worked as Guest Faculty, Chennai Dr. Ambedkar Law College, Pudupakkam. Published one book. Published 8 Articles in various reputed Law Journals. Conducted 1 Moot court competition and participated in nearly 80 National and International seminars and webinars conducted on various subjects of Law. Did ML in Criminal Law and Criminal Justice Administration. 10 paper presentations in various National and International seminars. Attended more than 10 FDP programs. Ph.D. in Law pursuing.



Avinash Kumar



Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC - NET examination and has been awarded ICSSR - Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and learning.

ABOUT US

INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS ISSN 2582-6433 is an Online Journal is Monthly, Peer Review, Academic Journal, Published online, that seeks to provide an interactive platform for the publication of Short Articles, Long Articles, Book Review, Case Comments, Research Papers, Essay in the field of Law & Multidisciplinary issue. Our aim is to upgrade the level of interaction and discourse about contemporary issues of law. We are eager to become a highly cited academic publication, through quality contributions from students, academics, professionals from the industry, the bar and the bench. INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS ISSN 2582-6433 welcomes contributions from all legal branches, as long as the work is original, unpublished and is in consonance with the submission guidelines.

GENDER EQUALITY, SOCIAL JUSTICE, AND THE ROLE OF CIVIL SOCIETY

GENDER EQUALITY AND SOCIAL JUSTICE

Authored By- Tanya Sarose Nayak

ll.m., 2nd year

Dhenkanal Law College

Madhusudan University

ABSTRACT

Equal opportunities, duties, and rights for men and women, as well as for boys and girls, are referred to as gender equality. Equal rights, responsibilities, and opportunities for men and women will exist regardless of whether they are born male or female. This does not mean that women and men will become equal. In order to achieve gender equality, one must recognise the diversity of various groups of women and men and take into account their needs, objectives, and interests. A prerequisite for ensuring gender equality and human rights is gender equity, which creates an equal playing field for men and women so that they have a fair chance to reach equal outcomes¹. Ensuring that men and women have equal access to and benefits from society's resources, opportunities, and rewards is the ultimate goal of gender equality. Women must also participate equally in defining what is valued and how this might be accomplished. Equities are a tool. The end consequence is equality. Gender equity refers to a component of social justice that is typically based on tradition, custom, religion, or culture, and which most frequently works against women².

¹ https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3182315

² Patel, Vibhuti Amar, Gender Equality and Human Rights (May 21, 2014). Available at SSRN: <https://ssrn.com/abstract=3182315>

or <http://dx.doi.org/10.2139/ssrn.3182315>

INTRODUCTION

In the context of social justice, gender equality entails more than just examining the dynamic between men and women. A place where women and men can be considered as fully human includes developing strategies for corrective action towards reforming society as a whole to make it more just and equal. Also, it denotes a transition from arbitrary to well-justified, balanced, and equitable social connections.

The only means through which gendered exploitation can be changed and the situation of women improved is development with social justice. Amartya Sen, an economist, coined the phrase "progress as freedom," seeing it as a means of enabling women to express themselves fully³.

Gender equality is a matter of social justice; it allows access to rights, resources, and opportunities. Women nowadays are playing a vital role in social, economic, and political development. They have worked hard in the enhancement of their social status and also have brought radical changes in the perception of women and their role in various and diverse fields, in particular leadership and decision making. However, the international and regional contexts are endangering these achievements and our societies still need to support the empowerment of women and capitalize on their capabilities and great potential, especially in light of the political openness.

Gender Equality is a concrete pathway to development, sustainable peace, and security. Any gender who gets empowered benefits the entire community. Increasing extremism, intolerance, and exclusion have caused a regression that has weakened the concept of gender equality and the enjoyment of women's rights. In war situations, especially female refugees and their displacement has generated tragedy through violence, child labor, child labor, sex trafficking, and many other forms of torture⁴.

Occupation is a barrier to democratic development, creating conflicts that affect societies. Women pay the price on all levels, struggling not only for women's rights and equality but for freedom,

³ Ahmad, Imtiaz and Shashi Bhushan Upadhyay (ed.) (2007), *Dalit Assertion in Society, History and Literature*, New Delhi : Deshkal Publications.

⁴ <https://egyankosh.ac.in/bitstream/123456789/6837/3/Unit-16.pdf>

while the process demands many sacrifices. The Union for Mediterranean Secretariat works hard through projects and initiatives to address women's empowerment and gender equality issues in the subterranean region. It plays a vital role in organizing annual high-level meetings on women's empowerment to identify, in partnership with key regional actors, specific and strategic solutions to promote the full participation of women in society. For instance, Palestine remains a central source of violence against women whereas Jordan, a country with limited resources promises to devote much effort to developing its human resources majorly to achieve sustainable economic growth, the country introduced policies, programs, and plans with the ultimate aim of societal development. The country sets up a political will to achieve equal opportunities and non-discrimination as articulated in the Constitution, National Agenda, and Civil Services Bylaws. Jordan is committed to the 2030 Agenda and to leaving no one behind. The Government of Jordan has submitted its first Voluntary National Review (VNR) which refers to the 2030 Agenda for Sustainable Development and presented it at the High-Level Political Forum in July 2017. Jordan's policies have resulted in the improvement of the status of Jordanian women considerably concerning education, health, and life expectancy; advances in these spheres have yet to fully bridge the gender gap. Gender disparity in Jordan has particularly increased in recent years with the spread of conservatism and nationalism, which has caused a regressive backlash against women's rights and gender equity. Social justice is a shared vision of Gender Equality and human rights. The goal of gender equality and substantive progress can be achieved in the following ways-

- Repeal discriminatory laws that inhibit the economic ability of women, their ability to obtain credit and own land, to move freely, and to make decisions about their bodies and health.
- Fully implement existing laws so that, for example, violence against women does not go unpunished.
- Enact new laws where no laws exist in specific areas.
- Introduce quotas and temporary special measures to support the increased proportion of women parliamentarians and all decision-making bodies.
- Invest in statistical capacities and gender statistics to support effective monitoring and evidence-driven decision-making⁵.

Society should come in collaboration with gender equality; the most responsible sector for making a game-changing impact on the status of women is the private sector. The private sector can

⁵ Miller, D. (1999), Principles of Social Justice, Cambridge M.A. : Harvard University Press.

develop or design far-reaching changes to the employment terms and conditions for women, equal pay to both genders would stand out for gender equality; where governments are non-compliant they also must take corrective measures. Women should be given decent work and nothing that questions their integrity. Organizations should uplift women's empowerment principles through training and professional development for women.

Trade unions can become a very strong and important source to push a fight in favor of gender equality. They must become game changers and undergo internal transformations for gender parity in the workplace and society. For instance, many construction sites in our state do not have a proper lavatory, or we can say a proper toilet is not constructed thinking that men will not need it and ignoring the basic needs of the female workers working, for such changes society should take initiative. Macroeconomic policies should enable state investment in infrastructure, social services, and social protection measures to reduce the burden of unpaid care work on women and child labor on boys and girls, we cannot create a better future while being intact to patriarchy. Men must lead in disrupting patriarchy as well as leading their behavior change and the positive socialization of boys.

UN has come up with a few tips leading towards dismantling patriarchy and they are-

- All men and women decision-makers must take the lead on ending the exclusion of women from decision-making bodies. They must fight for gender parity.
- Violence against women must be curbed and strict laws should be brought in place. Men must refuse to marry girl children and should stand against ending the practice of female genital mutilation.

Gender equality can only be achieved through the role of the male in civil society and their empathy and cooperation towards uplifting the female and bringing in parity. We can witness the changes in society only when it is evident that all women have equal rights, and equal access to justice, power, resources, and opportunities. All women and girls live their lives free from all forms of violence and discrimination. Women can make decisions about their bodies, health, and sexuality, free from discrimination, violence, and coercion; all women who work enjoy equal pay for equal work opportunities and equal access to decent work. Unpaid care work is fairly shared between men and women and no longer presents a barrier to women and girl's participation in social, political, and economic life;

Women have equal voice, participation, and leadership in decision-making at all levels, including in peace and security discussions, and Persistent gender stereotypes about men and women are not second nature, and discriminatory norms and attitudes, and beliefs no longer limit opportunities and outcomes. In a broad sense, social justice encompasses the distribution of both material and moral benefits of social life. It denotes a progressive concept and a development model. The Indian Constitution, for example, in its Preamble and the section on the Directive Principles of State Policy promises social, economic, and political justice. In common parlance, the term "social justice" refers to all three aspects of justice in society: social, economic, and political. It also entails reorganising social life in such a way that the material and moral benefits of social effort are not monopolised by a small privileged class, but instead accrue to the masses to ensure the equal growth and development. Development must be viewed from a new perspective in which growth and distribution are integrated into the same process, while breaking down social barriers of discrimination and prejudice based on gender, caste, language, religion, or ethnicity on a systematic basis. This is what "Development with Social Justice" in India must imply. As a result, for charting a new path of development, both development and dignity for the deprived and disadvantaged sections are equally important. Economic equality or political democracy alone cannot provide dignity to all citizens. In fact, the two must go hand in hand with social equality. The ultimate goal of development with social justice is for all Indian citizens to live in economic, social, and political dignity⁶.

THEORITICAL ASPECT OF SOCIAL JUSTICE IN GENDER EQUALITY

Justice is said to be primarily a problem of determining the best course of action. Political philosophers have been attempting to define justice since ancient times. With the rise and expansion of the modern world, the modern concept has been thoroughly transformed, particularly under the effective influence of democratic and socialist principles. In the modern world, determining logical criteria is linked to social justice for the allocation of goods, services, opportunity, benefits, power and honours as well as obligations in society, particularly in a scarcity situation. Political philosophers and scholars from Plato to Rawls have clearly engaged in a major

⁶ Bhattacharjee, Ajit (ed.) 1997), Social Justice and the Constitution, Delhi : Indian Institute of Advanced Society.

debate about distributive justice or social justice. This extensive body of work has given rise to a wide range of perspectives on social justice.

The following are the most important of this Liberal approach-

- (a) Liberal approach
- (b) Socialist approach
- (c) Subaltern approach
- (d) Feminist approach

a) Liberal Approach

Individualism underpins the liberal model, which is based on a commitment to social mobility and a flexible pattern of inequalities rather than fixed and structural gradations in social position and wealth. Individual equality, according to D.N. MacCormic, is fundamental to social justice. R.A. Pinker emphasised that social justice is concerned not only with the nature of equality but also with the criteria used to determine whether inequality is just or unjust. D. Miler contends that inequality is rampant and has become a necessary evil, and that social justice is required for the most disadvantaged members of society. It is perceived that, in contrast to liberal-utilitarian justice, John Rawls' liberal egalitarian justice is distinguished by its concern for the equality and welfare of all, particularly the most disadvantaged members of society.

He argues that distributive justice is an absolute necessity. He emphasised that all social primary goods—liberty and opportunity, income and wealth, and the foundations of self-respect—must be distributed equally, unless an unequal distribution of any or all of these goods benefits the least advantaged.

b) Socialist Approach

The socialist model of justice is based on collectivism and emphasises social equality and community. Justice exists where there is no injustice for socialists of all stripes. The main concern of all socialists has been the injustice meted out to workers, peasants, the poor, the unemployed, the lowly, and so on in the system that exists in society in general, and the capitalistic system in particular. For Marxists, justice in class societies is always class justice, justice for capitalists and injustice for workers. As a result, Marxists believe that only a classless society can provide justice. For them, justice consists of not only just laws, but also just laws originating in just society; it is

not only economic or social in nature, but also socio-economic in its implications. Because democratic socialists are both socialists and democratic, they believe that justice exists in a just order and a just society. Democratic socialism seeks to provide citizens with democratic rights and civil liberties, as well as socioeconomic rights - a difficult combination. If this is accomplished, it would be an ideal scheme for social justice⁷.

c) Subaltern Approach

Subaltern Approach are defined as any group in society that has been relegated to a subordinate position due to gender, age, vocation, class, caste, race, religion, language, culture, and so on. Because of various constraints inherent in the social structure, they are more or less placed in subordinate positions. They are oppressed, exploited, and marginalised groups. Subaltern justice demands social justice for the oppressed and disadvantaged. It necessitates two goals at the same time: a) the abolition of all forms of discrimination; and b) the provision of special care in order to achieve social equality. Justice from a subaltern perspective is not only economic, but also social, cultural, educational, and even psychological.

d) Feminist Approach

According to the feminist critique of justice, women are disadvantaged in comparison to men, and this disadvantage is not justified by their natural and biological differences. The social arrangements that have caused injustice against women are at the root of this discrimination. In light of the growing social consciousness against various forms of injustice in society, the position of women in society must be reviewed, challenged, and changed. Indeed, feminist theory and movement advocate that the situation of women and gender inequalities be treated as central political issues. All feminist thought focuses on the causes and solutions to women's inequality, subordination, or oppression. Because women are considered unequal to men, she is forced to suffer throughout her life: male dominance results in her subordination, powerlessness, and oppression. From a feminist standpoint, justice necessitates escape from women's internalisation of the female gender and the resulting low self-esteem, apathy, and sense of helplessness. The feminists argue that what is required is not only equal rights for men, but also, as socialist feminists insist, communalization of domestic and childcare functions; male superiority would have to be abolished; patriarchal culture would have to be demolished; gender socialisation would have to

⁷ <https://egyankosh.ac.in/bitstream/123456789/6837/3/Unit-16.pdf>

be ingrained; and women's liberation from male oppression would have to be fought for. Feminists do not consider the law to be neutral in disputes between men and women; the concept of justice is, by definition, male-structured. The feminist perspective on justice entails, among other things, the abolition of all male dominance, the equality of rights, the integration of the public and private spheres, and the creation of society, culture, and politics in new, non-patriarchal forms. Thus, a feminist perspective on justice advocates for women's overall development, including improved health and education, as well as an equitable share of economic and political power and social space⁸.

GENDER JUSTICE INTERCHANGEABLE WITH GENDER EQUALITY

Gender justice is frequently associated with emancipatory projects that advance women's rights through legal change or promote women's interests in social and economic policy. However, the term is rarely defined precisely and is frequently used interchangeably with the concepts of gender equality, gender equity, women's empowerment, and women's rights. Gender justice includes distinct elements that go beyond related concepts of justice in terms of class or race, complicating both its definition and implementation. However, three conceptions of gender justice can be examined to better understand its meaning, dimension, and nature.

(a) Gender Equality as Entitlements and choice

This approach, which has its roots in liberal feminist political philosophy, starts with a central dilemma in feminist politics: oppressed women may not propose a version of gender justice that challenges male privilege because they have been socialised to accept their situation.

Familial and social conventions can limit women's agency (the ability to make choices) by limiting their capacity to reason and act independently, as well as forcing them to prioritise the needs of others over their own. In response to this quandary of women's complicity in their own social and economic subordination, feminist political philosophers have debated the minimum economic, social, and even psychological conditions that women might be able to refuse or renegotiate the

⁸ MacCormic D.N. (1982), *Justice : An Unorginal Position*, Oxford : Oxford University Press

social arrangements in which they find themselves. This approach, based on liberal feminist political philosophy, begins with a central dilemma in feminist politics: oppressed women may not propose a version of gender justice that challenges male privilege because they have been socialised to accept their situation.

Women's agency (the ability to make choices) can be limited by familial and social conventions that limit their capacity to reason and act independently, as well as forcing them to prioritise the needs of others over their own. In response to the dilemma of women's complicity in their own social and economic subordination, feminist political philosophers have debated the minimum economic, social, and even psychological conditions under which women may refuse or renegotiate the social arrangements in which they find themselves.

(b) Gender Justice as positive rights

This optimistic view of gender justice is part of a modern "rights-based approach" to development thinking. Following the end-of-century wave of democratisation around the world, rights-based approaches emerged in the 1990s, and they are based on an understanding of the importance of political and legal institutions for economic development. They emphasise the relationship between the articulation of individual and collective preferences ("voice") and state responses in particular, and they seek to establish the fundamental rights that citizens may legitimately claim from the state.

They represent an acceptance that power dynamics influence policy outcomes, and that a rule of law and basic accountability are required to advance human development of basic endowments in resources and skills. The recognition of politics and Governance is important for gender justice projects because it can be applied to the relationships between men and women - recognising that power imbalances can prevent women from acting to advance their interests and recognising that social, economic, and political institutions must be made accountable to women - which includes rooting out institutionalised patriarchal power systems⁹.

⁹ Mukhopadhyay, Maitrayee and Navsharan Singh (ed) (2007), Gender Justice, Citizenship and Development, New Delhi : Zubaan, an imprint of Kali for Women.

INDIAN SITUATION: GENDER EQUALITY AND SOCIAL JUSTICE IN TERMS OF HEALTH AND EDUCATION

High levels of female deprivation, beginning with the right to life itself, are a hallmark of India. In many states where the female population is dropping, this is clearly visible in the declining sex ratio. High levels of structural and historical inequality exist in Indian communities. Caste, class, race, and gender inequalities, for instance, have produced a fictitious apartheid situation where the majority of people still lack access to justice and equal citizenship.

a) EDUCATION

In order to achieve equality, justice, and democracy in daily life and to ensure that candidates for positions of decision-making have a sufficiently wide base, education is essential. The most important way for people to acquire the values, attitudes, and behavioural patterns of a culture of peace is through education, both official and informal, in schools, in the home, through the media, and in social institutions. Education is the most effective tool for fostering a culture of peace, but only if it includes the excluded, is pertinent to various socio-cultural contexts, is of high quality, is gender-sensitive (that is, it acknowledges the differences between men and women while upholding their fundamental equality and working to eliminate gender inequities), and promotes inter-personal, inter-cultural, and international dialogue.

Women's disabilities have long been recognised in India as social barriers and hindrances to societal advancement. The significance of women's education has been recognised more and more in the contemporary Indian discussion on economic development and social change. The country cannot afford to ignore over half of its human resource. Women's education is now empirically proven to be a single panacea for a myriad of social evils. It is now generally acknowledged that there is an inverse relationship between female literacy and population increase, newborn mortality, maternal mortality, malnutrition, and reduced productivity. Women's education has shown how effective population control through literacy is.

Education for girls has rightfully been seen as essential and significant. Women need adult education to stay up with new problems and to make up for a lack of education in the past. Women, who are frequently less geographically mobile, have proven to benefit most from distance

education. Due to cultural and familial constraints, women are less mobile than men. The current gender gap in educational possibilities, despite recent improvements, is a challenge to ideas of justice and development. It poses an equal threat to world peace. India requires educated women and men who actively contribute to the development of our shared future.

b) HEALTH

Access to healthcare and physical well-being are significantly influenced by gender.

The health of Indian women differs significantly from that of Western women, in large part because of differences in their dietary practises, living levels, way of life, and environmental influences. Complex biological, social, cultural, religious, and other connected elements all have an impact on her health. Women in India's predominately patriarchal society receive less money and less access to healthcare. In terms of diet, care awareness, treatment, and prevention, they face discrimination. When women reach old age, the effects of all these factors come to a head. Neglect of women, especially of girls, is a stain on our culture. According to the WHO's Regional Health Report for 1998, 74 million women in South Asia are just absent. Men outweigh women in the population in this area more than everywhere else in the globe. An extensive study of death rates, morbidity rates, hospital treatment, and nutritional attention conducted in India, according to renowned economist Amartya Sen, confirms a fairly conclusive picture of the systematic deprivation of women in many areas of the country, notably rural India. Women's health is worsened by factors like poverty, illiteracy, rural upbringing, lower caste, widowhood, abandonment, handicap, being in a monogamous marriage, or not having children. The worst cases of this problem can be found in the northern states of India, where the low levels of female literacy and low social standing of women have kept them under social, cultural, and religious oppression. Their health status is significantly impacted in locations where women and girls are neglected.

High rates of maternal and new-born mortality, births, female foeticide cases, and dowry fatalities can be found in areas with low levels of female literacy. When gender prejudice is socialised and internalised, it becomes invisible to those who lack gender sensitivity. In civilizations where women are treated with dignity and considered as equal partners, differences in nutrition, educational opportunities, freedom of movement, etc., between children of different genders

within the same family are not observed. In areas where women have a low social status, there are higher rates of female infant mortality, fertility, maternal mortality, low female literacy, female nutritional status, and age at marriage. The physical, emotional, social, and economic well-being of women has not seen any significant improvement. Women have strived to thrive, raise kids, construct houses, pay for their health care, and nurture their communities despite severe limitations. The work, perseverance, and care that its women contribute has neither been acknowledged nor appreciated in the world.

VIOLENCE IS A SOCIETAL ANALYSIS

Women's violence is a serious issue that requires quick response.

Domestic violence is not the only form of violence. Women are constantly at risk of abuse, harassment (both verbal and physical), and even rape. Apart from interpersonal violence, women and children continue to be the most common victims of both man-made and natural disasters. Hence, natural disasters like famines, cyclones, and earthquakes as well as social unrest, labour disputes, poverty and debt, fundamentalism, extremism, casteism, and local fanaticism target women first. Women are still forced to live in dangerous circumstances. She frequently experiences physical abuse both inside and outside of her house. In India, we have recently enacted significant legal measures to stop violence against women. Men who valued their honour and the honour of their community inscribed these values on the bodies of their wives, resulting in sexual violence in a feudal-caste-religious setting. As a result, maintaining a woman's chastity or sexually attacking a woman were viewed as equivalent to upholding and defiling male honour, caste, or religion, respectively. Throughout the late 1980s and subsequently, there were many incidents of caste and religious riots, and women were frequently at the centre of the unrest as victims or focal points of the violent assertions of caste identity or religious fervour. Feminists who worked with the rural poor, Dalits, Adivasis, or riot victims regarded sexual violence as a specific and gendered expression of power devoted to maintaining a hierarchical system.

The threat of sexual harassment has grown for working women in today's world. Usually, victims of harassment do not come forward to report incidents of harassment. Unfortunately, the advancement of society has harmed the status of women at home and at work. Although while women have entered traditionally male domains like politics or the public service in India, their

working conditions are by no means pleasant. In terms of treating women equally at home and at work, Indian men still have a long way to go. One cannot spend a day without reading about a sexual harassment incident, whether it occurred in a hospital, academic institution, or secretariat. Sexual violence, sexual harassment, and other crimes against women are on the rise. Epidemiological research is needed to determine the cause, extent, nature, spectrum, and forms of this pathology, as well as its pathogenesis. Measures to address this phenomenon should also be identified. Health personnel are not adequately trained or sensitive to recognise and address this problem on a medical, legal, and psychological level. They are uninformed and unprepared to provide legal advice and counselling¹⁰.

CONCLUSION

Gender equity emphasises that all people, men and women, are free to develop their abilities and make choices without being constrained by stereotypes, rigid gender roles, political and other prejudices. Their various behaviours and aspirations should be valued and favoured equally, and they should be treated fairly based on their individual needs. Social justice in the spirit of gender justice is regarded as an important means of accomplishing this.

Women's current subordination stems not from unchangeable biological differences, but from social and cultural values, ideologies, and institutions that ensure women's material and ideological subordination¹¹.

Over time, the importance of women as a group in development has changed. It is now widely acknowledged that empowering women for growth is essential for rising productivity, more equity, and societal advancement. It is considered crucial for marginalised groups, such as women, to participate in decision-making. A woman can battle injustice with empowerment, self-assurance, and an independent spirit. Half of the population is impacted by gender discrimination. The main organisation that supports gender inequality is patrilocality. The main cause of women's powerlessness and lack of resources is patrilocality. But, in a nuclear family, where the husband

¹⁰ Bhattacharjee, Ajit (ed.) 1997), Social Justice and the Constitution, Delhi : Indian Institute of Advanced Society.

¹¹ <https://ufmsecretariat.org/gender-equality-matter-social-justice-hala-lattouf/>

and wife live together, women will have far greater independence and equality. Moreover, progress towards gender justice and sex equality has been extremely gradual¹².

Through the ages, women have been subordinate to men in all societies and nations without exception. Only now, at the turn of the 20th and beginning of the 21st centuries, are these twin forces being more acknowledged and addressed. The law acts as a catalyst to alter not only unfavourable circumstances but also people's mindsets. In India, the judiciary, in especially the Supreme Courts, has shown sensitivity in all areas of the law that influence women's rights and protection, such as marriage, guardianship, maintenance, domicile, and inheritance in civil affairs. They have also contributed to ending the discrimination against women in criminal cases involving crimes against women, such as rape. Nonetheless, the law is limited in its power. As crucial as legal reform is a shift in society's attitudes.

All facets of society must contribute to this transformation, and here N.G.O.s, the media, and the representatives of the people must play a significant role.

Genuine human equality, in which neither men nor women are superior to one another, is what gender justice entails. The goal of gender justice is to achieve gender equality in all areas of life. It does not, however, assert that women are treated more favourably than men. Biology is not the foundation of gender justice. Its goal is to eliminate divisions caused by humans in the economic, social, cultural, political, and civil spheres.

It takes time for discriminatory and degrading behaviours to disappear from society.

Gender justice and sex equality have advanced very slowly. The moment is right to remove sexism and gender inequality and establish gender justice in our society now that apartheid, racial discrimination, and slavery have been ended. It is necessary to accelerate the movement for development and human rights. Hence, let's enter the twenty-first century and the millennium knowing full well that gender equity is the cornerstone to peace, human rights, and growth. In the sake of social justice and social progress, it is now the duty of all governments, international

¹² Academia.edu/73238536/Role_of_Civil_Society_in_Gender_Equality_Sociological_Perspectives

organisations, and nongovernmental groups to actively pursue measures to establish an environment of equality for women in society¹³.

REFERENCE

- Ahmad, Imtiaz and Shashi Bhushan Upadhyay (ed.) (2007), *Dalit Assertion in Society, History and Literature*, New Delhi : Deshkal Publications.
- Bhattacharjee, Ajit (ed.) 1997), *Social Justice and the Constitution*, Delhi : Indian Institute of Advanced Society.
- Bhandare, Muralidhar (ed.) (1999) *The World of Gender Justice*, New Delhi: Har-Anand Publications Pvt. Ltd.
- Mukhopadhyay, Maitrayee and Navsharan Singh (ed) (2007), *Gender Justice, Citizenship and Development*, New Delhi : Zubaan, an imprint of Kali for Women.
- Miller, D. (1999), *Principles of Social Justice*, Cambridge M.A. : Harvard University Press.
- MacCormic D.N. (1982), *Justice : An Unorginal Position*, Oxford : Oxford University Press.
- Pinker, R.A. (1974), *Social Theory and Social Policy*, London : Heinemann. Rawls, John, (1972), *A Theory of Justice*, London : Oxford University Press.
- Englund, Karin (1997). *The Gender Perspective in Sweden's Cooperation with Central and Eastern Europe*. Stockholm: Ministry for Foreign Affairs.
- International Women's Tribune Centre (1998). *Rights of Women*. New York. Available from WomanInk:
- Maughan, Janet (1996). *Women's Work: Finding a Place in the New Russia*. Ford Foundation Report. Spring 1996.