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THE TENETS AND IMPACT OF FEMINISM ON GENDER EQUALITY IN SOCIETY

AUTHORED BY - ANMOL TANWAR

I. Introduction

Four in ten women around the world say that they don't have equality with men or the freedom to reach their full dreams and aspirations. Feminism is the theory of the political, economic, and social equality of the sexes,¹ even though many feminist movements and ideologies differ on exactly which claims and strategies are vital and justifiable to achieve equality. However, equality, while supported by most feminists, is not universally seen as the required result of the feminist movement, even by feminists. Some consider it feminist to increase the rights of women from an origin that is less than man's without obtaining full equality.² Their premise is that some gain of power is better than nothing. At the other end of the continuum, a minority of feminists have argued that women should set up at least one women-led society and some institutions.³

Feminism is a very complex perspective. It is a source of a new awareness, power, and knowledge to the contemporary thinking. It is a global as well as a contemporary ideology. Feminism is a collective term for systems of belief and theories that pay special attention to women's rights and women's position in culture and society.

Equality is the state of being equal, especially in status, rights and opportunities. **Gender equality**, also known as **sexual equality**, is the state of equal ease of access to resources and opportunities regardless of gender, including economic participation and decision-making; and the state of valuing different behaviours, aspirations and needs equally, regardless of gender.

It is generally accepted by egalitarians that feminism falls under egalitarianism and that some feminists identify themselves as egalitarian, which under the broadly understood definition of the word is equality for both men and women.

¹ Merriam-Webster dictionary, as accessed April 1, 2018, entry *feminism*, sense 1.

² Echols (1989), pp. 289, citing Snitow, Ann, *Retrenchment vs. Transformation: The Politics of the Anti-Pornography Movement*, in *Caught Looking: Feminism, Pornography and Censorship* (N.Y.: Caught Looking, 1986), pp. 11–12.

³ Spender, Dale, *For the Record: The Making and Meaning of Feminist Knowledge* (London: The Women's Press, 1985 (ISBN 0-7043-2862-3)), p. 151 (on institutions) but see p. 214 (antibureaucratic).

II. Feminism

The term tends to be used for the women's rights movement, which began in the late 18th century and continues to campaign for complete political, social, and economic equality between men and women. It is a body of social theory and political movement primarily based on and motivated by the experiences of women. While generally providing a critique of social relations, many proponents of feminism also focus on analyzing gender inequality and the promotion of women's rights, interests, and issues. Jane Freedman in *Feminism* observes in this connection: So, perhaps we should start from the assumption that we cannot define what 'feminism' is, but only try to pick out common characteristics of all the many different 'feminisms'. Any attempt to provide a baseline definition of a common basis of all feminisms may start with the assertion that feminisms concern themselves with women's inferior position in society and with discrimination encountered by women because of their sex. Furthermore, one could argue that all feminists call for changes in the social, economic, political or cultural order, to reduce and eventually overcome this discrimination against women.

So, it is very difficult to define feminism in terms of a set of core concept but its common core is the thesis that the relationship between the sexes is one of inequality or oppression. "All forms of feminism seek to identify the causes of that inequality and to remedy it, but the issue of precisely which agency produces and reproduces inequality is the source of many of the differences between feminists".

Feminists are united by the idea that women's position in society is unequal to that of men, and that society is structured in such a way as to benefit men to the political, social, and economic detriment of women. However, feminists have used different theories to explain these inequalities and have advocated different ways of redressing inequalities, and there are marked geographic and historical variations in the nature of feminism. In general, feminism is "concerned with how women's lives have changed throughout history, and it asks what about women's experience either as a result of an essential ontological or psychological difference or as a result of historical imprinting and social construction".

Feminism affirms the value of women and women's contributions to their life and anticipates a future where barriers to women's full participation in public life will be removed. Within feminism are many different political agendas, philosophical positions, values, ideologies, and viewpoints. However, feminists share five general commitments:

- ❖ Valuing women and their specific contributions to society;
- ❖ Critically analyzing the past to understand how patriarchal practices have devalued woman;
- ❖ analyzing sex-gender constructions that emphasize male-female differences and examining differences among women, especially in terms of race, ethnicity, sexuality, class, age, body shape, and religion, as well as other categories of identity that are used to denigrate, dismiss, or delegitimize persons without consideration of the merit of their actions, thoughts, or character;
- ❖ formulating new understandings that can transform social, political, and personal practices on the basis of women's contributions, values, and experiences; and
- ❖ Working toward social and personal transformations through political activities designed to enable women to participate as full citizens in public life.

A. History of Feminism

In the 1830s feminism, both as a concept and as a movement, emerged as the reaction against the atrocities of patriarchy. It is due to the damaged personality of a woman who has been distorted and violated in terms of sexual harassment and by unequal gender politics. She is inferiorized. In the views of Sarah M. Grimke : man has subjugated woman to his will, used her as a means to promote his unselfish gratification, to minister to his sensual pleasure, to be instrumental in promoting his comfort, 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. It is as Kate Millet observes in *Sexual Politics* (1969) the history of patriarchy perpetrated cruelties and barbarities on women.

Charles Fourier, a Utopian Socialist and French philosopher, is credited with having coined the word "féminisme" in 1837.⁴ The words "féminisme" ("feminism") and "féministe" ("feminist") first appeared in France and the Netherlands in 1872, Great Britain in the 1890s, and the United States in 1910,⁵ and the Oxford English Dictionary lists 1852 as the year of the first appearance

⁴ Goldstein, Leslie F. (1982). "Early Feminist Themes in French Utopian Socialism: The St.-Simonians and Fourier". *Journal of the History of Ideas*. 43 (1): 91–108.

⁵ Cott, Nancy E. (1987). *The Grounding of Modern Feminism*. New Haven: Yale University Press. p. 13.

of "feminist"⁶ and 1895 for "feminism".⁷ Depending on the historical moment, culture and country, feminists around the world have had different causes and goals. Most western feminist historians contend that all movements working to obtain women's rights should be considered feminist movements, even when they did not (or do not) apply the term to themselves.⁸ Other historians assert that the term should be limited to the modern feminist movement and its descendants. Those historians use the label "protofeminist" to describe earlier movements.⁹

The history of the modern western feminist movements is divided into three "waves".¹⁰ Each wave dealt with different aspects of the same feminist issues. The first wave comprised women's suffrage movements of the nineteenth and early twentieth century's, promoting women's right to vote. The second wave was associated with the ideas and actions of the women's liberation movement beginning in the 1960s. The second wave campaigned for legal and social equality for women. The third wave is a continuation of, and a reaction to, the perceived failures of second-wave feminism, which began in the 1990s.¹¹

□ *Nineteenth and early twentieth centuries*

First-wave feminism refers to a period of feminist activity during the nineteenth century and early twentieth century in the United Kingdom and United States. It primarily focused on gaining the right of women's suffrage. Mary Wollstonecraft published the first feminist treatise *A Vindication of the Rights of Women* (1792) in which she advocated the social and moral equality of the sexes. In *Maria, or the Wrongs of Women*, she has acknowledged the existence of women's sexual desires. In America, Elizabeth Cady Stanton and Susan B. Anthony campaigned for the abolition of slavery prior to championing women's right to vote. Stanton and Anthony believed that abortion was an imposition of the patriarchy upon women.

⁶ "feminist". *Oxford English Dictionary* (3rd ed.). Oxford University Press. 2012. (Subscription required (help)). An advocate or supporter of the rights and equality of women. 1852: *De Bow's Review* ('Our attention has happened to fall upon Mrs. E. O. Smith, who is, we are informed, among the most moderate of the feminist reformers!')

⁷ "feminism". *Oxford English Dictionary* (3rd ed.). Oxford University Press. 2012. (Subscription required (help)). Advocacy of equality of the sexes and the establishment of the political, social, and economic rights of the female sex; the movement associated with this."

⁸ Walters, Margaret (2005). *Feminism: A very short introduction*. Oxford University. pp. 1–176.

⁹ Botting, Eileen Hunt; Houser, Sarah L. (2006). "'Drawing the Line of Equality': Hannah Mather Crocker on Women's Rights". *The American Political Science Review*. **100** (2): 265–78.

¹⁰ Humm, Maggie. 1995. *The Dictionary of Feminist Theory*. Columbus: Ohio State University Press, p. 251

¹¹ Krollokke, Charlotte; Sorensen, Anne Scott (2005). "Three Waves of Feminism: From Suffragettes to Grrls". *Gender Communication Theories and Analyses: From Silence to Performance*. Sage. p. 24.

❑ Mid-twentieth century

Second-wave feminism refers to a period of feminist activity beginning in the late 1960s and 1970s. If the period associated with First-Wave feminism focused upon absolute rights such as suffrage, the second-wave feminist movement was concerned with the issue of economic equality between the genders. It also included the recognition of lesbian women within movement, due to the simultaneous rise of the gay rights movement. In the second-wave feminism, Simone de Beauvoir's *The Second Sex* (1949) and Millet's *Sexual Politics* threw into question the cultural and ethical values of many literary presentations. Beauvoir and Millet drew attention to the way in which the greater social power men have over women is translated into textual conventions. Elaine Showalter and Ellen Moers made the novel a special focus of their work taking it to be a major source of values and experiences relevant to contemporary women's thinking. Moer's *Literary Women* (1976) claims that there are specific female modes (the Gothic), specific female motifs (birthing, landscape), and specific female symbols (birds, flowers). The second-wave feminist criticism placed literature in historical and social frameworks with gender and sexist features. A crucial theme in second-wave criticism is the idea that literature presents gender discriminations and inequalities as the product of the individual psyche rather than the playing out of the socially allotted role. Millet in *Sexual Politics* argues that patriarchal power is ubiquitous. There is a deeply entrenched politics of sexuality, beginning with the reproduction of patriarchy, through psychological conditioning in the family, which operates in all economic and cultural structures.

❑ Late twentieth and early twenty-first centuries

Third-Wave feminism is a feminist movement that began in the early 1990s. It seeks to challenge and expand common definitions of gender and sexuality. Traits of third-wave feminism includes queer theory, women-of-color consciousness, post-colonialism, critical theory, transnationalism, and new feminist theories. In particular, a post-structuralist interpretation of gender and sexuality is central to third-wave feminism.

❑ Fourth-wave feminism

[Fourth-wave feminism](#) refers to a resurgence of interest in feminism that began around 2012 and is associated with the use of [social media](#).¹² According to feminist scholar Prudence Chamberlain,

¹² [Cochrane, Kira](#) (10 December 2013). "[The Fourth Wave of Feminism: Meet the Rebel Women](#)". *The Guardian*.

the focus of the fourth wave is justice for women and opposition to sexual harassment and violence against women. Its essence, she writes, is "incredulity that certain attitudes can still exist".¹³ Fourth-wave feminism is "defined by technology", according to Kira Cochrane, and is characterized particularly by the use of Facebook, Twitter, Instagram, YouTube, Tumblr, and blogs such as Feministing to challenge misogyny and further gender equality.¹⁴ Issues that fourth-wave feminists focus on include street and workplace harassment, campus sexual assault and rape culture. Scandals involving the harassment, abuse, and murder of women and girls have galvanized the movement. These have included the 2012 Delhi gang rape, 2012 Jimmy Savile allegations, the Bill Cosby allegations, 2014 Isla Vista killings, 2016 trial of Jian Ghomeshi, 2017 Harvey Weinstein allegations and subsequent Weinstein effect, and the 2017 Westminster sexual scandals.¹⁵ Examples of fourth-wave feminist campaigns include the Everyday Sexism Project, No More Page 3, Stop Bild Sexism, Mattress Performance, 10 Hours of Walking in NYC as a Woman, #YesAllWomen, Free the Nipple, One Billion Rising, the 2017 Women's March, the 2018 Women's March, and the #MeToo movement. In December 2017, Time magazine chose several prominent female activists involved in the #MeToo movement, dubbed "the silence breakers", as Person of the Year.¹⁶

□ Post feminism

The term postfeminism is used to describe a range of viewpoints reacting to feminism since the 1980s. While not being "anti-feminist", postfeminists believe that women have achieved second wave goals while being critical of third- and fourth-wave feminist goals. The term was first used to describe a backlash against second-wave feminism, but it is now a label for a wide range of theories that take critical approaches to previous feminist discourses and includes challenges to the second wave's ideas. Other postfeminists say that feminism is no longer relevant to today's society.¹⁷ Amelia Jones has written that the postfeminist texts which emerged in the 1980s and 1990s portrayed second-wave feminism as a monolithic entity.¹⁸ Dorothy Chunn notes a

¹³ Chamberlain, Prudence (2017). *The Feminist Fourth Wave: Affective Temporality*. Cham: Springer. p. 115.

¹⁴ Solomon, Deborah (13 November 2009). "The Blogger and Author on the Life of Women Online". *The New York Times*. Retrieved 16 March 2023.

¹⁵ For Cosby, Ghomeshi, #MeToo, and fourth wave, see Matheson, Kelsey (17 October 2017). "You Said #MeToo. Now What Are We Going To Do About It?", *The Huffington Post*

¹⁶ Redden, Molly, and agencies (6 December 2017). "#MeToo movement named Time magazine's Person of the Year", *The Guardian*.

¹⁷ Modleski, Tania (1991). *Feminism without women: culture and criticism in a 'postfeminist' age*. New York: Routledge. p. 188.

¹⁸ Jones, Amelia (1994). "Postfeminism, Feminist Pleasures, and Embodied Theories of Art". In Frueh, Joana; Langer, Cassandra L.; Raven, Arlene. *New Feminist Criticism: Art, Identity, Action*. New York: HarperCollins.

"blaming narrative" under the postfeminist moniker, where feminists are undermined for continuing to make demands for gender equality in a "post-feminist" society, where "gender equality has (already) been achieved." According to Chunn, "many feminists have voiced disquiet about the ways in which rights and equality discourses are now used against them."¹⁹

B. Theories Of Feminism

1. Liberal Feminism/Egalitarianism Feminism

Liberal feminism conceives of freedom as personal autonomy—living a life of one's own choosing—and political autonomy—being co-author of the conditions under which one lives. Liberal feminists hold that the exercise of personal autonomy depends on certain enabling conditions that are insufficiently present in women's lives, or that social arrangements often fail to respect women's personal autonomy and other elements of women's flourishing. They hold also that women's needs and interests are insufficiently reflected in the basic conditions under which they live, and that those conditions lack legitimacy because women are inadequately represented in the processes of democratic self-determination. Liberal feminists hold that autonomy deficits like these are due to the "gender system" or the patriarchal nature of inherited traditions and institutions, and that the women's movement should work to identify and remedy them. As the protection and promotion of citizens' autonomy is the appropriate role of the state on the liberal view, liberal feminists hold that the state can and should be the women's movement's ally in promoting women's autonomy. There is disagreement among liberal feminists, however, about the role of personal autonomy in the good life, the appropriate role of the state, and how liberal feminism is to be justified.

2. Marxist Feminism

Marxist feminists challenge capitalism in ways that facilitate new discourse and shed light on the status of women.²⁰ These women throughout history have used a range of approaches in fighting hegemonic capitalism, which reflect their different views on the optimal method of achieving liberation for women. Marxist feminists include an analysis of other sources of oppression beyond class that increase exploitation in a capitalist system while also remaining

pp. 16–41, 20.

¹⁹ Chunn, D. (2007). "Take it easy girls": Feminism, equality, and social change in the media. In D. Chunn, S. Boyd, & H. Lessard (E ds.), *Reaction and resistance: Feminism, law, and social change* (pp. 31). Vancouver, BC: UBC Press.

²⁰ *Hartmann, Heidi* (1981), "The unhappy marriage of Marxism and feminism: towards a more progressive union", in *Sargent, Lydia*, *Women and revolution: a discussion of the unhappy marriage of Marxism and Feminism*, South End Press Political Controversies Series, Boston, Massachusetts: *South End Press*, pp. 1–42

critical of intersectionality theory for relying on bourgeois identity politics.²¹

3. *Radical Feminism*

Radical feminists assert that society is a patriarchy in which the class of men are the oppressors of the class of women. They propose that the oppression of women is the most fundamental form of oppression, one that has existed since the inception of humanity. As radical feminist Ti-Grace Atkinson wrote in her foundational piece "Radical Feminism" (1969):

"The first dichotomous division of this mass [mankind] is said to have been on the grounds of sex: male and female ... it was because half the human race bears the burden of the reproductive process and because man, the 'rational' animal, had the wit to take advantage of that, that the child bearers, or the 'beasts of burden,' were corralled into a political class: equivocating the biologically contingent burden into a political (or necessary) penalty, thereby modifying these individuals' definition from the human to the functional, or animal."²²

Radical feminists believe that men (as a class) use social systems and other methods of control to keep women (and non-dominant men) suppressed. Radical feminists seek to abolish patriarchy by challenging existing social norms and institutions, and believe that eliminating patriarchy will liberate everyone from an unjust society. Ti-Grace Atkinson maintained that the need for power fuels the male class to continue oppressing the female class, arguing that "the *need* men have for the role of oppressor is the source and foundation of all human oppression".²³

4. *Socialist Feminism*

Socialist feminists propose the complete eradication of all political, economic and social foundations of contemporary society. Specifically, education, work, sexuality and parenting must undergo thorough transformations. Sexual division of labour, which locks men and women into stereotypical occupational categories, must cease. Women should be permitted, respected and valued for all types of work within traditionally male as well as female fields, and adequately compensated for such work. They should be free from economic and gender specific constraints, even if it means reorganizing the family structure of sharing of child rearing responsibilities. They should be also be reunited with the fruits of their labour, by ending the alienation produced when they are forced to tailor their goals, personalities, and very lives to the wishes of men.

²¹ Mitchell, Eve (2013). *I am a woman and a human: a Marxist feminist critique of intersectionality* (pamphlet). Houston, NYC, and Atlanta: Unity and Struggle. Archived from the original on 2017-05-29.

²² Atkinson 2000, p. 85.

²³ Atkinson 2000, p. 86.

Alienation refers to relationships that are naturally interdependent but have been artificially separated or placed in opposition. Socialist feminists have adopted the Marxist concept of alienation to describe the situation of women in the world. Unlike Marxist feminists who only consider alienation in the workplace, socialist feminists also apply alienation to women's work in the home.

Socialist feminist activism differs from other forms of feminist activism in that it focuses a great deal on collaborating with other oppressed groups. Feminism has frequently been condemned as exclusionary representing only white heterosexual middle class women. But socialist feminists are inclusive, however. They include all groups that suffer as a result of capitalism, male dominance, or discrimination in their fight.

5. *Cultural Feminism*

Cultural feminism refers to a philosophy that men and women have different approaches to the world around them, and that greater value should be placed on the way women approach the world. In some cases, cultural feminism argues that a woman's way of looking at the world is actually superior to men's. This perspective aims to unite all women, regardless of ethnicity, race, class or age.

The essence of being a woman is what makes women special and different compared to men, according to this view. This **female essence** includes a greater emphasis on cooperation, relationships and peace, also referred to as an **ethic of care**. Cultural feminists can either believe that being more nurturing is biologically determined, or they might believe that this trait was taught to them by society, or some combination of both.

III. Equality

Much of the literature defines feminism as being about equal rights for women or equality between the sexes. Not only did feminism influence equality among genders, but also in race. The Chicana Feminism Movement became politically active in the search for female and lesbian equality within American society. It challenged the roles of gender stereotypes.²⁴

²⁴ Freedman, Estelle B. (2003). [No Turning Back: The History of Feminism and the Future of Women](#). London: Ballantine Books; [Cott, Nancy F.](#) (1987). [The Grounding of Modern Feminism](#) (2nd ed.). New Haven: Yale University Press; Cornell, Drucilla (1998). [At the Heart of Freedom: Feminism, Sex, and Equality](#). Princeton University Press. p. X; Kimmel, Michael (1993). "Who's Afraid of Men Doing Feminism?". In Digby, Tom. *Men Doing Feminism*. New York: Routledge. pp. 57–68; DuBois, Ellen Carol (1999). *Feminism and suffrage: the*

Using different language, Riane Eisler, "re-examining human society from a gender-holistic perspective", "proposed two basic models of society", "the first being the *dominator* model, what is popularly termed either patriarchy or matriarchy—the *ranking* of one half of humanity over the other" and "the second, in which social relations are primarily based on the principle of *linking* rather than ranking, may best be described as the *partnership* model. In this model—beginning with the most fundamental difference in our species, between male and female—diversity is not equated with either inferiority or superiority." "The problem is not men as a sex, but men and women as they must be socialized in a dominator system." She advocated for a gynarchy, a partnership linking the two genders, in lieu of the present and historical androcracy.

Of historical interest, Plato, according to Elaine Hoffman Baruch, around 394 B.C., while believing that men ultimately would excel, argued that women should be equal with men politically, socially, sexually, educationally, and in military combat and should be able to enter the highest class of society, that most gender differences could not be explained by biology (Plato being one of the earliest published thinkers to say so), and that a system of child care would free women to participate in society.²⁵

Some radical feminists critiqued equality, denying that "equality in an unjust society was worth fighting for".

Egalitarianism (from French *égal*, meaning 'equal'), or **equalitarianism**,²⁶ is a school of thought that prioritizes equality for all people.²⁷ Egalitarian doctrines maintain that all humans either should "get the same, or be treated the same" in some respect such as social status.²⁸ Egalitarianism is a trend of thought in political philosophy. According to the Merriam-Webster Dictionary, the term has two distinct definitions in modern English,²⁹ namely either as a political doctrine that all people should be treated as equals and have the same political, economic, social and civil rights,³⁰ or as a social philosophy advocating the removal of economic inequalities among people, economic egalitarianism, or

emergence of an independent women's movement in America, 1848–1869. Ithaca, New York: Cornell University Press; Voet, Maria Christine Bernadetta (1998). *Feminism and Citizenship*. London

²⁵ Schönflug (2008), pp. 159–160, citing Rohrich, R. & Elaine Hoffman Baruch, *Women in Search of Utopia: Mavericks and Mythmakers* (N.Y.: Schocken Books, 1984), and Plato, *The Republic* (ca. 394 B.C.).

²⁶ "Definition of equalitarianism". *The Free Dictionary*. Houghton Mifflin Company. 2009.

²⁷ "egalitarian". *Dictionary.com Unabridged*. Random House. Retrieved 7 May 2023

²⁸ Arneson, Richard (2002). [<http://plato.stanford.edu/entries/egalitarianism>] "Egalitarianism". *Stanford Encyclopedia of Philosophy*.

²⁹ "Egalitarianism". *Merriam-Webster Dictionary*.

³⁰ "Wgalitarianism". *American Heritage Dictionary*. 2003.

the decentralization of power. Some sources define egalitarianism as the point of view that equality reflects the natural state of humanity.³¹

❖ Legal Egalitarianism – Equality before law

Equality before the law is a tenet of some branches of feminism. In the 19th century, gender equality before the law was a radical goal, but some later feminist views hold that formal legal equality is not enough to create actual and social equality between women and men. An ideal of formal equality may penalize women for failing to conform to a male norm while an ideal of different treatment may reinforce sexist stereotypes.³² In 1988, prior to serving as a Justice of the Supreme Court, Ruth Bader Ginsburg wrote: "Generalizations about the way women or men are – my life experience bears out – cannot guide me reliably in making decisions about particular individuals. At least in the law, I have found no natural superiority or deficiency in either sex. In class or in grading papers from 1963 to 1980, and now in reading briefs and listening to arguments in court for over seventeen years, I have detected no reliable indicator or distinctly male or surely female thinking – even penmanship".³³ In an American Civil Liberties Union's Women's Rights Project in the 1970s, Ginsburg challenged in Frontiero v. Richardson the laws that gave health service benefits to wives of servicemen, but not to husbands of servicewomen.³⁴ There are over 150 national constitutions that currently mention equality regardless of gender.³⁵

- Equality of men and women in rights and responsibilities

An example of this form is the Tunisian Constitution of 2014 which provides that "men and women shall be equal in their rights and duties". Gender equality, the motto "Liberté, égalité, fraternité" was used during the French Revolution and is still used as an official motto of the French government. *The 1789 Rights of Man and of the Citizen French Constitution is framed also with this basis in equal rights of mankind.* The Declaration of Independence of the United States is an example of an assertion of equality of men as "All men are created equal" and the wording of men and man is a reference to both men and women, i.e. mankind. *John Locke is sometimes considered the founder of this form. Many state constitutions in the United States also use rights of man language rather than rights of person since the noun man has always*

³¹ Erdal, D.; Whiten, A. (1996). "Egalitarianism and Machiavellian Intelligence in Human Evolution" in Mellars, P.; Gibson, K. (eds.). *Modeling the Early Human Mind*. Cambridge MacDonald Monograph Series.

³² Jaggar, Alison. (1994) "Part One: Equality. Introduction." In *Living with Contradictions: Controversies in Feminist Social Ethics*. Boulder, CO: Westview Press.

³³ Jeff Rosen, "The Book of Ruth," New Republic, August 2, 1993, p. 19.

³⁴ O'Dea, Suzanne. *From Suffrage to the Senate: An Encyclopedia of American Women in Politics*, ABC-CLIO, 1999

³⁵ "Read about "Equality regardless of gender" on Constitute". *constituteproject.org*. Retrieved 31 March 2023.

been a reference to and an inclusion of both men and women. It is generally accepted by egalitarians that feminism falls under egalitarianism and that some feminists identify themselves as egalitarian which under the broadly understood definition of the word is equality for both men and women. Under various Indian Laws, women were given several rights and those rights were guaranteed to be protected, which are as follows:

➤ Constitutional Rights to Women

- a) The state shall not discriminate against any citizen of India on the ground of sex [Article 15(1)].
- b) The state is empowered to make any special provision for women. In other words, this provision enables the state to make affirmative discrimination in favour of women [Article 15(3)].
- c) No citizen shall be discriminated against or be ineligible for any employment or office under the state on the ground of sex [Article 16(2)].
- d) Traffic in human beings and forced labour are prohibited [Article 23(1)].
- e) The state to secure for men and women equally the right to an adequate means of livelihood [Article 39(a)].
- f) The state to secure equal pay for equal work for both Indian men and women [Article 39(d)].
- g) The state is required to ensure that the health and strength of women workers are not abused and that they are not forced by economic necessity to enter avocations unsuited to their strength [Article 39(e)].
- h) The state shall make provision for securing just and humane conditions of work and maternity relief [Article 42].
- i) It shall be the duty of every citizen of India to renounce practices derogatory to the dignity of women [Article 51-A(e)].
- j) One-third of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women [Article 243-D(3)].
- k) One-third of the total number of offices of chairpersons in the Panchayats at each level shall be reserved for women [Article 243-D(4)].
- l) One-third of the total number of seats to be filled by direct election in every Municipality shall be reserved for women [Article 243-T(3)].
- m) The offices of chairpersons in the Municipalities shall be reserved for women in such manner as the State Legislature may provide [Article 243-T(4)].

➤ Legal Rights to Women:

- a) Protection of Women from Domestic Violence Act (2005) is a comprehensive legislation to protect women in India from all forms of domestic violence. It also covers women who have been/are in a relationship with the abuser and are subjected to violence of any kind—physical, sexual, mental, verbal or emotional.
- b) Immoral Traffic (Prevention) Act (1956) is the premier legislation for prevention of trafficking for commercial sexual exploitation. In other words, it prevents trafficking in women and girls for the purpose of prostitution as an organised means of living.
- c) Indecent Representation of Women (Prohibition) Act (1986) prohibits indecent representation of women through advertisements or in publications, writings, paintings, figures or in any other manner.
- d) Commission of Sati (Prevention) Act (1987) provides for the more effective prevention of the commission of sati and its glorification on women.
- e) Dowry Prohibition Act (1961) prohibits the giving or taking of dowry at or before or any time after the marriage from women.
- f) Maternity Benefit Act (1961) regulates the employment of women in certain establishments for certain period before and after child-birth and provides for maternity benefit and certain other benefits.
- g) Medical Termination of Pregnancy Act (1971) provides for the termination of certain pregnancies by registered medical practitioners on humanitarian and medical grounds.
- h) Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act (1994) prohibits sex selection before or after conception and prevents the misuse of pre-natal diagnostic techniques for sex determination leading to female foeticide.
- i) Equal Remuneration Act (1976) provides for payment of equal remuneration to both men and women workers for same work or work of a similar nature. It also prevents discrimination on the ground of sex, against women in recruitment and service conditions.
- j) Dissolution of Muslim Marriages Act (1939) grants a Muslim wife the right to seek the dissolution of her marriage.
- k) Muslim Women (Protection of Rights on Divorce) Act (1986) protects the rights of Muslim women who have been divorced by or have obtained divorce from their husbands.
- l) Family Courts Act (1984) provides for the establishment of Family Courts for speedy settlement of family disputes.
- m) Indian Penal Code (1860) contains provisions to protect Indian women from dowry death.

- rape, kidnapping, cruelty and other offences.
- n) Code of Criminal Procedure (1973) has certain safeguards for women like obligation of a person to maintain his wife, arrest of woman by female police and so on.
- o) Indian Christian Marriage Act (1872) contain provisions relating to marriage and divorce among the Christian community.
- p) Legal Services Authorities Act (1987) provides for free legal services to Indian women.
- q) Hindu Marriage Act (1955) introduced monogamy and allowed divorce on certain specified grounds. It provided equal rights to Indian man and woman in respect of marriage and divorce.
- r) Hindu Succession Act (1956) recognizes the right of women to inherit parental property equally with men.
- s) Minimum Wages Act (1948) does not allow discrimination between male and female workers or different minimum wages for them.
- t) Mines Act (1952) and Factories Act (1948) prohibits the employment of women between 7 P.M. to 6 A.M. in mines and factories and provides for their safety and welfare.
- u) The following other legislation's also contain certain rights and safeguards for women:
- [Employees' State Insurance Act \(1948\)](#)
 - [Plantation Labour Act \(1951\)](#)
 - [Bonded Labour System \(Abolition\) Act \(1976\)](#)
 - [Legal Practitioners \(Women\) Act \(1923\)](#)
 - [Indian Succession Act \(1925\)](#)
 - [Indian Divorce Act \(1869\)](#)
 - [Parsi Marriage and Divorce Act \(1936\)](#)
 - [Special Marriage Act \(1954\)](#)
 - [Foreign Marriage Act \(1969\)](#)
 - [Indian Evidence Act \(1872\)](#)
- v) Hindu Adoptions and Maintenance Act (1956).
- w) [National Commission for Women Act \(1990\)](#) provided for the establishment of a National Commission for Women to study and monitor all matters relating to the constitutional and legal rights and safeguards of women.
- x) [Sexual Harassment of Women at Workplace \(Prevention, Prohibition and Redressal\) Act \(2013\)](#) provides protection to women from sexual harassment at all workplaces both in public and private sector, whether organised or unorganized.

❖ Core Concepts Of Equality

"Feminism makes claims for a rebalancing between women and men of the social, economic, and political power within a given society, on behalf of both sexes in the name of their common humanity, but with respect for their differences." When feminism and related words began being widely used in the 1890s in Europe and the Western Hemisphere and continuing into modern times, the terms' relationship to equality was often unclear. "Then, as now, many parties used the terms polemically, as epithets, rather than analytically; then, as now, the words were not used by everyone to mean the same thing. And, as the study of their history reveals, they referred far more often to the 'rights of women' than to 'rights equal to those of men.' This is a subtle but profound distinction. Even then the vocabulary of feminism connoted a far broader socio-political critique, a critique that was woman-centred and woman-celebratory in its onslaught on male privilege."

Feminist author bell hooks wrote, "*Masses of people think that feminism is always and only about women seeking to be equal to men. The feminism they hear about the most is portrayed by women who are primarily committed to gender equality — equal pay for equal work, and sometimes women and men sharing household chores and parenting.*" "*Feminism is a movement to end sexist oppression.*" Deborah Siegel uses the term "feminism" in a general sense to refer to the philosophy powering a movement to eradicate sexism and better women's lives.³⁶

a) Natural rights

17th century natural law philosophers in Britain and America, such as Thomas Hobbes, Jean-Jacques Rousseau and John Locke, developed the theory of natural rights in reference to *ancient philosophers such as Aristotle and the Christian theologian Aquinas*. Like the ancient philosophers, 17th century natural law philosophers defended slavery and an inferior status of women in law.³⁷ Relying on ancient Greek philosophers, natural law philosophers argued that natural rights were not derived from god, but were "universal, self-evident, and intuitive", a law that could be found in nature. They believed that natural rights were self-evident to "civilised man" who lives "in the highest form of society".³⁸ *Natural rights derived from human nature, a concept first established by the ancient Greek philosopher Zeno of Citium in Concerning Human Nature*. Zenon argued that each rational and civilized male Greek citizen had a "divine spark" or

³⁶ Siegel, Deborah, *Sisterhood, Interrupted: From Radical Women to Grrls Gone Wild* (N.Y.: Palgrave Macmillan, 2007 (ISBN 978-1-4039-8204-9)), p. 15.

³⁷ Morey, Dr Robert A. (2010). *The Bible, Natural theology and Natural Law: Conflict Or Compromise?*. Xulon Press. p. 282.

³⁸ Morey, Dr Robert A. (2010). *The Bible, Natural theology and Natural Law: Conflict Or Compromise?*. Xulon Press. p. 297.

"soul" within him that existed independent of the body. Zeno founded the Stoic philosophy and the idea of a human nature was adopted by other Greek philosophers, and later natural law philosophers and western humanists. Aristotle developed the widely adopted idea of rationality, arguing that man was a "rational animal" and as such a natural power of reason. Concepts of human nature in ancient Greece depended on gender, ethnic, and other qualifications³⁹ and 17th century natural law philosophers came to regard women along with children, slaves and non-whites, as neither "rational" nor "civilised".⁴⁰ *Natural law philosophers claimed the inferior status of women was "common sense" and a matter of "nature"*. They believed that women could not be treated as equal due to their "inner nature".⁴¹ The views of 17th century natural law philosophers were opposed in the 18th and 19th century by evangelical natural theology philosophers such as William Wilberforce and Charles Spurgeon, who argued for the abolition of slavery and advocated for women to have rights equal to that of men.⁴² *Modern natural law theorists, and advocates of natural rights, claim that all people have a human nature, regardless of gender, ethnicity or other qualifications; therefore all people have natural rights.*⁴³

b) Equal Employment

Employment rights for women include non-discriminatory access of women to jobs and equal pay. Leslie Wah-Leung Chung (1917–2009), President of the Hong Kong Chinese Civil Servants' Association (1965–68), contributed to the establishment of equal pay for men and women, including the right for married women to be permanent employees. Before this, the job status of a woman changed from permanent employee to temporary employee once she was married, thus losing the pension benefit. Some of them even lost their jobs. In India, equal pay for equal work is granted under Article 39(d), In *Randhir Singh vs. Union of India*,⁴⁴ the Supreme Court held that the principle of "equal pay for equal work" though not a fundamental right is certainly a constitutional goal and, therefore, capable of enforcement through constitutional remedies under article 32 of the constitution. The doctrine of equal pay for equal work is equally applicable to persons employed on daily wage basis. They are entitled to the same

³⁹ Morey, Dr Robert A. (2010). *The Bible, Natural theology and Natural Law: Conflict Or Compromise?*. Xulon Press. p. 212.

⁴⁰ Morey, Dr Robert A. (2010). *The Bible, Natural theology and Natural Law: Conflict Or Compromise?*. Xulon Press. p. 297.

⁴¹ Morey, Dr Robert A. (2010). *The Bible, Natural theology and Natural Law: Conflict Or Compromise?*. Xulon Press. p. 282.

⁴² Morey, Dr Robert A. (2010). *The Bible, Natural theology and Natural Law: Conflict Or Compromise?*. Xulon Press. p. 282.

⁴³ *Ibid.*

⁴⁴ AIR 1982 SC 879.

wages as other permanent employees in the department employed to do the identical work.⁴⁵ In *State of Haryana vs. Rajpal Sharma*, 20 it has been held that the teachers employed in privately managed aided schools in State of Haryana are entitled to same salary and dearness allowances as is paid to teachers employed in government school.

In some European countries, married women could not work without the consent of their husbands until a few decades ago, for example in France until 1965⁴⁶ and in Spain until 1975. In addition, marriage bars, a practice adapted from the late 19th century to the 1970s across many countries, including Austria, Australia, Ireland, Canada, and Switzerland, restricted married women from employment in many professions.⁴⁷

A key issue towards insuring gender equality in the workplace is the respecting of maternity rights and reproductive rights of women. Maternity leave (and paternity leave in some countries) and parental leave are temporary periods of absence from employment granted immediately before and after childbirth in order to support the mother's full recovery and grant time to care for the baby.⁴⁸ Different countries have different rules regarding maternity leave, paternity leave and parental leave. In the European Union (EU) the policies vary significantly by country, but the EU members must abide by the minimum standards of the Pregnant Workers Directive and Parental Leave Directive.⁴⁹

c) Right to Vote

During the 19th century some women began to ask for, demand, and then agitate and demonstrate for the right to vote – the right to participate in their government and its law making. Other women opposed suffrage, like Helen Kendrick Johnson, who argued in the 1897 pamphlet *Woman and the Republic* that women could achieve legal and economic equality without having the vote. The ideals of women's suffrage developed alongside that of universal suffrage and today women's suffrage is considered a right (under the Convention on the Elimination of All Forms of Discrimination Against Women). During the 19th century the right to vote was gradually extended in many countries, and women started to campaign for their right to vote. In 1893 New Zealand became the first country to give women the right to vote on a

⁴⁵ Daily Rated Casual Labour vs. Union of India, (1988) SCC 122

⁴⁶ Guillaumin, Colette (1994). *Racism, Sexism, Power, and Ideology*. pp. 193–95.

⁴⁷ "Standard Grade Bitesize History – Women and work : Revision, p. 3". *bbc.co.uk*. Retrieved 8 October 2023.

⁴⁸ Baker, Michael; Kevin Milligan (2008). "How Does Job-Protected Maternity Leave Affect Mothers' Employment?". *Journal of Labor Economics*. **26** (4): 655–91.

⁴⁹ http://ec.europa.eu/justice/gender-equality/rights/work-life-balance/index_en.htm

national level. Australia gave women the right to vote in 1902. In India, under colonial rule, universal suffrage was granted in 1935. Other Asian countries gave women the right to vote in the mid 20th century – Japan (1945), China (1947) and Indonesia (1955). In Africa, women generally got the right to vote along with men through universal suffrage – Liberia (1947), Uganda (1958) and Nigeria (1960). In many countries in the Middle East universal suffrage was acquired after World War II, although in others, such as Kuwait, suffrage is very limited. On 16 May 2005, the Parliament of Kuwait extended suffrage to women by a 35–23 vote.⁵⁰

d) Right to health

Health is defined by the World Health Organization as "a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity". Women's health refers to the health of women, which differs from that of men in many unique ways. Women's health is severely impaired in some parts of the world, due to factors such as inequality, confinement of women to the home, indifference of medical workers, lack of autonomy of women, lack of financial resources of women. Discrimination against women occurs also through denial of medical services that are only needed by women. Violations of women's right to health may result in maternal death, accounting for more than 300.000 deaths per year, most of them in developing countries. Certain traditional practices, such as female genital mutilation, also affect women's health Worldwide, young women and adolescent girls are the population most affected by HIV/AIDS.

e) Freedom of Movement

Freedom of movement is an essential right, recognized by international instruments, including Article 15 (4) of CEDAW. Nevertheless, in many regions of the world, women have this right severely restricted, in law or in practice. For instance, in some countries women may not leave the home without a male guardian, or without the consent of the husband – for example the personal law of Yemen states that a wife must obey her husband and must not get out of the home without his consent. Even in countries which do not have legal restrictions, women's movement may be prevented in practice by social and religious norms such as purdah. Laws restricting women from travelling existed until relatively recently in some Western countries: until 1983, in Australia the passport application of a married woman had to be authorized by her husband.

⁵⁰ "Kuwait grants women right to vote" CNN.com (May 16, 2005)". CNN. 16 May 2005. Retrieved 30 August 2023.

Various practices have been used historically to restrict women's freedom of movement, such as foot binding, the custom of applying painfully tight binding to the feet of young Chinese girls, which was common between the 10th and 20th century.

Women's freedom of movement may be restricted by laws, but it may also be restricted by attitudes towards women in public spaces. In areas where it is not socially accepted for women to leave the home, women who are outside may face abuse such as insults, sexual harassment and violence. Many of the restrictions on women's freedom of movement are framed as measures to "protect" women.⁵¹ For example, in the summer of 2017, an India women named Varnika Kundu shared a story on Facebook about being stalked by two men late at night. Kundu was coming home after a night out with friends when two men began following her. Kundu made it home unharmed, but was understandably shaken after the incident. She posted her story on Facebook, hoping to bring awareness and warn other women, but was instead met with a backlash of trolls telling her she shouldn't have been out that late and that it was her fault for being in that situation. This incident spawned the #AintNoCinderella movement, where women all over the world shared pictures of them being out past midnight with the hashtag in order to combat gender stereotypes and bias.⁵²

- f) Right to Education**
- g) Reproductive Rights**
- h) Matrimonial Rights**

These were some rights which over the years raised the bar of equality for both men and women.

❑ Ascending Towards Equality

Feminism in practice can be exhausting and expensive and other needs may compete for personal and organizational resources. Pragmatism may encourage seeking lesser goals, such as having more power than without feminism while not trying to seek full equality.

According to Alice Echols, "Carol Hanisch argued that looking pretty and acting dumb was survival strategies which women should continue to use until such time as the 'power of unity' could replace them."

⁵¹ <https://www.empowerwomen.org/en/who-we-are/news/2016/2/freedom-of-movement-and-womens-economic-empowerment>

⁵² <https://indianexpress.com/article/trending/trending-in-india/aint-no-cinderella-women-fight-for-safety-by-sharing-late-night-photos-on-twitter>

One feminist leader, Ann Snitow, speculated that difference feminism became preferred over gender equality so that "men might be more responsive".⁵³

In the late 18th century in Britain, Mary Wollstonecraft wrote in *A Vindication of the Rights of Woman* of "asserting the rights which women in common with men ought to contend for". "Let it not be concluded that I wish to invert the order of things; I have already granted, that, from the constitution of their bodies, men seem to be designed by Providence to attain a greater degree of virtue. I speak collectively of the whole sex; but I see not the shadow of a reason to conclude that their virtues should differ in respect to their nature." "I would fain convince reasonable men of the importance of some of my remarks, and prevail on them to weigh dispassionately the whole tenor of my observations.—I appeal to their understandings; and, as a fellow-creature, claim, in the name of my sex, some interest in their hearts. I entreat them to assist to emancipate their companion, to make her a *help meet* for them! Would men but generously snap our chains, and be content with rational fellowship instead of slavish obedience, they would find us more observant daughters, more affectionate sisters, more faithful wives, more reasonable mothers—in a word, better citizens."

➤ **Trafficking Protocol**

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (also referred to as the Trafficking Protocol or UN TIP Protocol) is a protocol to the Convention against Transnational Organised Crime. It is one of the three Palermo protocols. Its purpose is defined at Article 2. Statement of purpose as: "

- (a) To prevent and combat trafficking in persons, paying particular attention to women and children;
- (b) To protect and assist the victims of such trafficking, with full respect for their human rights; and
- (c) To promote cooperation among States Parties in order to meet those objectives."⁵⁴

➤ **Forced marriage and slavery**

The 1956 [Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery](#) defines "institutions and practices similar to slavery"

⁵³ [Echols \(1989\)](#), pp. 289, citing Snitow, Ann, *Retrenchment vs. Transformation: The Politics of the Anti-Pornography Movement*, in *Caught Looking: Feminism, Pornography and Censorship* (N.Y.: Caught Looking, 1986), pp. 11–12.

⁵⁴ ["United Nations Convention Against Transnational Organized Crime And The Protocols Thereto"](#) (PDF). Retrieved 18 July 2023.

to include:⁵⁵ Any institution or practice whereby:

- i) A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or
- ii) The husband of a woman, his family, or his clan, has the right to transfer her to another person for value received or otherwise; or
- iii) A woman on the death of her husband is liable to be inherited by another person;

- The Istanbul Convention requires countries which ratify it to prohibit forced marriage (Article 37) and to ensure that forced marriages can be easily voided without further victimization (Article 32).⁵⁶

➤ **Rape and sexual violence**

Rape, sometimes called sexual assault, is an assault by a person involving sexual intercourse with or sexual penetration of another person without that person's consent. Rape is generally considered a serious sex crime as well as a civil assault. When part of a widespread and systematic practice, rape and sexual slavery are now recognised as a crime against humanity as well as a war crime. Rape is also now recognised as a form of genocide when committed with the intent to destroy, in whole or in part, a targeted group.

➤ **United Nations Declaration**

The Declaration on the Elimination of Violence against Women was adopted by the United Nations in 1993. It defines violence against women as "*any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.*"⁵⁷ This resolution established that women have a right to be free from violence. As a consequence of the resolution, in 1999, the General Assembly declared the day of 25 November to be the International Day for the Elimination of Violence against Women.

⁵⁵ "Supplementary Convention on the Abolition of Slavery". Ohchr.org. Retrieved 18 July 2023.

⁵⁶ "Council of Europe – Convention on preventing and combating violence against women and domestic violence (CETS No. 210)". coe.int. Retrieved 8 October 2023.

⁵⁷ *United Nations General Assembly. "A/RES/48/104 – Declaration on the Elimination of Violence against Women – UN Documents: Gathering a body of global agreements". un-documents.net. Retrieved 8 October 2023.*

Article 2 of The Declaration on the Elimination of Violence Against Women outlines several forms of violence against women: Violence against women shall be understood to encompass, but not be limited to, the following:

- (a) Physical, sexual and psychological violence occurring in the family, including [battering](#), sexual abuse of female children in the household, [dowry-related violence](#), [marital rape](#), [female genital mutilation](#) and other traditional practices harmful to women, non-spousal violence and violence related to [exploitation](#);
- (b) Physical, sexual and [psychological violence](#) occurring within the general community, including [rape](#), [sexual abuse](#), [sexual harassment](#) and intimidation at work, in educational institutions and elsewhere, [trafficking](#) in women and [forced prostitution](#);
- (c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

➤ **United Nations convention**

The *Universal Declaration of Human Rights*, adopted in 1948, enshrines "the equal rights of men and women", and addressed both the equality and equity issues.^[253] In 1979, the *United Nations General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) for legal implementation of the Declaration on the Elimination of Discrimination against Women. Described as an international bill of rights for women, it came into force on 3 September 1981.* The UN member states that have not ratified the convention are Iran, Palau, Somalia, Sudan, Tonga, and the United States. Niue and the Vatican City, which are non-member states, have also not ratified it. The latest state to become a party to the convention is South Sudan, on 30 April 2015. The Convention defines discrimination against women in the following terms:

“Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”

- It also establishes an agenda of action for putting an end to sex-based discrimination for which states ratifying the Convention are required to enshrine gender equality into their domestic legislation, repeal all discriminatory provisions in their laws, and enact new provisions to guard against discrimination against women. They must also establish tribunals and public institutions to guarantee women effective protection against

discrimination, and take steps to eliminate all forms of discrimination practiced against women by individuals, organizations, and enterprises.⁵⁸

➤ **Marriage, divorce, and family law**

Article 16 of the Universal Declaration of Human Rights enshrines the right of consenting men and women to marry and found a family.^[253]

- 1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
- 2) Marriage shall be entered into only with the free and full consent of the intending spouses.
- 3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

- **Article 16 of CEDAW** stipulates that, "States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations".⁵⁹ Among the rights included are a woman's right to freely and consensually choose her spouse; to have parental rights to her children irrespective of her marital status; the right of a married woman to choose a profession or an occupation, and to have property rights within marriage. In addition to these, "The betrothal and the marriage of a child shall have no legal effect".^[257]
- Polygamous marriage is a controversial practice, prevalent in some parts of the world. The General recommendations made by the Committee on the Elimination of Discrimination against Women, state at *General Recommendation No. 21, Equality in marriage and family relations* "14.[...] Polygamous marriage contravenes a woman's right to equality with men, and can have such serious emotional and financial consequences for her and her dependents that such marriages ought to be discouraged and prohibited."⁶⁰
- Cohabitation of unmarried couples as well as single mothers are common in some parts the world. The Human Rights Committee has stated:⁶¹

⁵⁸ Convention on the Elimination of All Forms of Discrimination Against Women, Article 2 (e).

⁵⁹ "CEDAW 29th Session 30 June to 25 July 2003". *un.org*. Retrieved 8 October 2023.

⁶⁰ "General recommendations made by the Committee on the Elimination of Discrimination against Women". *un.org*. Retrieved 8 October 2023.

⁶¹ "University of Minnesota Human Rights Library". *umn.edu*. Retrieved 8 October 2023.

- In giving effect to recognition of the family in the context of article 23, it is important to accept the concept of the various forms of family, including unmarried couples and their children and single parents and their children and to ensure the equal treatment of women in these contexts. Single parent families frequently consist of a single woman caring for one or more children, and States parties should describe what measures of support are in place to enable her to discharge her parental functions on the basis of equality with a man in a similar position."

➤ **Vienna Declaration and Programme of Action**

The Vienna Declaration and Programme of Action, also known as VDPA, is a human rights declaration adopted by consensus at the World Conference on Human Rights on 25 June 1993 in Vienna, Austria. This declaration recognizes women's rights as being protected human rights. Paragraph 18 reads:⁶²

"The human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community".

➤ **United Nations Security Council Resolution 1325**

On 31 October 2000, the United Nations Security Council unanimously adopted United Nations Security Council Resolution 1325, the first formal and legal document from the United Nations Security Council that requires all states to respectfully international humanitarian law and international human rights law applicable to the rights and protection of women and girls during and after the armed conflicts.

IV. Conclusion - Freedom Apart From Equality

[Difference feminism](#) is based on the assumption that women and men are different, that for women to be equal to men means to be like men, which is not desirable.⁶³ Instead of equality,

⁶² ["Vienna Declaration and Programme of Action"](#). Ohchr.org. Retrieved 18 July 2023.

⁶³ Gilman, Charlotte Perkins, *What is "Feminism"?*, in *The Sunday Herald*, Sep. 3, 1916, [§] *Magazine*, p. [7] [of §], of *The Boston Herald* (Boston, Mass.).

difference feminism is based on women having freedom.

In 1916, Charlotte Perkins Gilman argued for feminism without calling for "equality". Favoring women's "freedom"^[9] and "fullness",^[9] she wrote, "feminism is the social awakening of the women of all the world. It is that great movement which is changing the centre of gravity in human life..... It is the movement for among other goals women's full economic independence Anti-feminists speak in their frantic fear of freedom for women."^[9] She wrote of essential differences between women and men, including in motherhood and fatherhood, and that "feminists are women, plus: plus full human endowment and activity."

Examples of organizations in the U.S. seeking equality are the National Women's Political Caucus (NWPC) and the National Organization for Women (NOW) and, historically, the National Woman's Party (NWP). NOW, at its first national conference, in 1967, called for equality, e.g., "Equal Rights Constitutional Amendment", "Equal and Unsegregated Education", "Equal Job Training Opportunities", "equal employment opportunity [to] be guaranteed to all women, as well as men", "the right of women to be educated to their full potential equally with men ... eliminating all discrimination and segregation by sex", and "the right of women in poverty to secure job training, housing, and family allowances on equal terms with men".⁶⁴

⁶⁴ NOW (National Organization for Women) Bill of Rights, in Morgan, Robin, ed., *Sisterhood is Powerful: An Anthology of Writings From the Women's Liberation Movement* (N.Y.: Random House, 1st ed. 1970), pp. 512–513 (§ Historical Documents) ("adopted at NOW's first national conference, Washington, D.C., 1967", per *id.*, p. 512).