

ISSN: 2582-6433



# INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS

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

VOLUME 2 ISSUE 7

[www.ijlra.com](http://www.ijlra.com)

## **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.

# **CAN CURRENT NATURE OF** **DEVELOPMENT SUSTAIN** **WOMEN EMPOWERMENT**

AUTHORED BY - SNEHA SOLANKI  
ASSISTANT PROFESSOR,  
FAIRFIELD INSTITUTE OF MANAGEMENT  
AND TECHNOLOGY, IP UNIVERSITY

## **Abstract**

In this article the focal point is the nexus with the environment degradation and its impact on women status. How women are related with environment including its accessibility of natural resources, what kind of problems are being faced by the women belongs to different strata of society etc. issues have been discussed in this article. Also, in this article, it is discussed that sustainable development is vital in women environment and what are the key hurdles in implementation of policies of womenempowerment.

Key Words: - women empowerment, natural resources, sustainable development Goals, environment degradation and gender gap, etc.

## **INTRODUCTION**

The nature is symbol of the femineity. Almost in all types of culture woman identity relates with the nature and its beauty. Especially in India, the Earth and whole nature relate to the woman factor, in Indian culture, nature means '*prakriti*' that identifies as feminine and '*purusha*' as man. They all consider to be complimentary to each other. One is nothing without other. But if one exploits other, the balance of nature would be disturbed, that is the reality of the contemporary world. Here the concept of development in modern world since Industrial Revolution became a matter of concern regarding condition of women in economy. This is a Global concern. When various country has started to face bad consequences, they raising concern on International

Platform, for instance, Kyoto Protocol or Rio Convention etc. The idea of Sustainable Development is an objective to protect and preserve the environment in the race of economic growth and development and providing inter-generational as well as intra generational development. Women, Children and Poor are as class are worst affected by this traditional development where on one hand, unlimited and indiscriminately exhaustion of natural resources has been consumed for economic growth but on the other hand, the gap between poor and rich, environmental degradation, displacement of poor and tribal people and violation of human rights etc. are major consequences of this kind of development.

## WOMEN AND ENVIROMENT

Women as a class are multi dimensionally affected by the traditional development which creates environmental degradation in nature. Women and environment are intrinsically, related with each other. Since Ancient Era, Women is a symbol of nature. She is plays a major role in home management and manages resources for family. Women as a class can be classified in three kind of sub - classes these are 1. Urban Women; 2. Rural Women; 3. Tribal Women.

All three sub-groups are differently connected with the environment. Throughout these categories the Rural and Tribal women are directly and worst affected with the environmental degradation, because they depend on the nature directly for their living hood. Most of the percentage of population is of the developing and under developed countries. The economy of these countries is mostly depending upon the Agriculture, while women produce 60 to 80 percent of food in developing countries<sup>1</sup>. The rural women in villages are depend upon the natural resources from water to wood. Similarly, the living hood of the tribal women are identified majorly with the forests and collects herbals to sell in the tribal markets. In Manipur, there is Ima Keithel means 'mother market' organised which is only for women traders. This is one of kind a women's contribution in economy. This is only a one example, there are many more examples we can observe throughout India and in world where rural and tribal women are major factors in economy. In developing world, women predominantly responsible for management and conservation of resources for their families. Thus, they must spend most of their life in collecting and storing water, securing sources of fuel, food, and fodder. And if these resources centralised or procured by industrialist and

---

<sup>1</sup> "Global Women's issues: Women in the world today, extended version chapter 11 :women and environment", available on <https://opentextbc.ca/womenintheworld/chapter/11>

capitalists, then it would adversely affected rural and tribal women. Natural calamities and disasters like drought, erratic rainfall, severe storms, volcano eruptions, forests fire or flood etc. are makes access of these basic resources intensely affected. Vandana Shiva, the ecofeminist she observed that the marginalisation of women and destruction of biodiversity go hand in hand.<sup>2</sup> She described commonality of gender and environment oppression. She links women's physical, social, and sexual nature with the environment. She says diversity as central to "women's work and knowledge," as the reproductive/ domestic work of life is dependent on diverse skills that belie specialization.

The relation of women to environment can be classified in two ways: one is cultural aspect and second is economic aspect. Firstly, in cultural aspect, women are treated as a symbol of nature and earth who nurtures lives. Secondly, the cultural aspects include gender conditioning. That means women has responsibility to manage family and she must have nurturing nature. Whether she is urban women or rural women, it is women who has duty towards her family and manage and collect resources for her family's living hood affairs. Thus, gender norms are very much defined the relationship between women and environment. Then second aspect is the economic aspect, which is very relates to the rural and tribal women. In Agricultural economy, cottage industry, construction labour, or small industry etc. the women having a great share and contributing in the GDP of the country.

## Women and Sustainable Development

The basic reason behind the emerging of the concept of Sustainable Development is the indiscriminately exhaustion of natural resources and consequently problems of inequality between classes, environmental degradation, global warming, and centralisation of resources in some big hand of industrialists and capitalist etc. Here in above we have analysed how women are related to the environment and its natural resources so that women as a class majorly affected. We cannot expect gender equality and women empowerment in this kind of indiscriminate development. Here the need of sustainable development arises, which defined as development which meets the requirements of the present without compromising the ability of future generations to meet their own needs. Sustainable development has various aspects some of these are inter - generational equity, intra - generational equity, democracy etc. in which gender equality

---

<sup>2</sup> Shiva, Vandana and Maria Mies, "Ecofeminism. London", 2014, Zed Books

is one of the major aspects of it.

Gender equality is the key aspect for development of a country. The development of a country never completes without participation of women factor in economic growth, that economic growth backs social and political growth of a half population. But the nature of recent development, highly impacted adversely on the concept of gender equality and women empowerment. So that Sustainable development includes the gender equality and women empowerment. There are major Sustainable development treaties and conventions have done countries on International level which have acknowledged the specific need for women's participation and for a mainstreamed gender perspective. The 1992 United Nations Earth Summit (UNCED) serves basic two aspects these are biological diversity and on protect the earth environmental degradation from a gender perspective. In Rio Declaration on Environment and Development, Principle 1 itself clearly stated that the human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature. In Principle 20 altogether with sustainable development it is clearly stated that women have a vital role in environmental management and development and to achieve sustainable development their full participation is essential. Hence, it is now profoundly recognized by International community that women's participation is a pre-condition for sustainable development. The world commission on environment and development, in its report named 'our common future' (1988) had reported that practices of unsustainable development created a huge crisis that were worsening the north south gap among them women are in majority of the world's poor and illiterate. Then in 1995 in fourth world conference on women, Beijing focused on the women empowerment, full participation, and equality and these are major keys of the sustainable development. Indian women took a great lead in 1970s through Chipko movement where activists most of them tribal or local women, hugged trees to protect and preserve. In report discussion on sustainable development, it is observed that women are playing as natural resources managers and agents of change. It is important to recognize this role and to draw attention on women's commitment and expertise in shaping strategies and decisions. There is one more major step has taken by one wing of United Nations that is UN office on Drugs and Crime. It has set 5 SDGs by promoting access to justice for women and girls; supporting the development of legislations and policies that protect their right and prevent as well as respond to violence against women and girls; developing institutional and professional capacities relevant to respecting, protecting, and fulfilling the rights of women and girls; and creating the conditions for women and girls to be able to claim their rights and be active

agents of change. These are the main SDGs Goals which can be achieved by cooperation and coordination of nation-states. Women empowerment through sustainable development is not only a substantive concept, it is a process or way to ensure full-fledged development throughout the world population. If half of the world population does not have any involvement or less than to expectations, the economic growth would remain partly successful.

Women empowerment and sustainable development are relating with the feminist concept of ecofeminism. It is not just a concept but also a movement that sees a connection between the exploitation and degradation of the natural world and subordination and oppression of women.<sup>3</sup> Ecofeminism focuses on gender inequality by environmental degradation and to cure this gender gap the participation of women in decision making policy of government concerned environmental protection and economic growth. This movement first emerged in North American and European academic circles in the 1970s but in India, in the same decade the Chipko movement was also organised by tribal women. Françoise d'Eaubonne, a French author considered a leader in her country's feminist movement, coined the name "ecofeminism" in 1974. Vandana Shiva is also an ecofeminist and she argues how destroying environment development affects the lives of women. She further argues that the monoculture in farming is destroying fertility of soil and consequently women are particularly marginalised by their alienation from the seeds and traditional way of farming. In the destruction of biodiversity, women are not only displaced as keepers of the economic life in their communities, they are pushed aside by big industrialists and capitalists.

## WOMEN AS A CLASS

Women as a class are facing various major problems. Out of these many feminists allege the capitalistic way of development. The economic crises have led to heightened criticisms of the capitalist model, where growth is fuelled by competition and the quest for profits. In this development model, the Glass ceiling phenomenon is one kind of the hurdle in the women empowerment and increases the gap of gender inequality. Due to this phenomenon only a handful of women can achieve equal status with men colleagues. There is also institutionalised gender discrimination embedded in the whole economic development structure. The family responsibilities, childcare etc. restrict women to get full participation in economic

---

<sup>3</sup> "Women and life on Earth: what is ecofeminism", available on [www.Wloee.org/what-is-ecofeminism.76.0.html](http://www.Wloee.org/what-is-ecofeminism.76.0.html)

development. In Fortune magazine<sup>4</sup>, among 500 companies, women are only three percent of CEOs, six percent of top managers and 15 percent of board members. In top decision making in world women representation is very less. According to Inter-Parliamentary Union, about 18 percent of legislative seats worldwide are held by women and in many countries, there are no female representatives at all. This is the real situation at global level although many countries are achieving well gender goals.

As in India, the constitution itself very clearly declared that there shall not be any kind of discrimination based on the sex, caste, class, creed etc. Although India has achieved very much gender parity at the primary education level but in political sector, as of June 2019, the proportion of seats in the Lok Sabha held by women had only reached 11% but 46% in the Panchayati Raj institutions. In India, central and state governments are making and implementing many welfare schemes for women empowerment to achieve SDGs 5. For instance, Sarva Shiksha Abhiyan, Beti Bachao, Beti Padhao, SABLA Yojna etc. But these all schemes mostly on only paper and nothing else.

## **OBSTRUCTIONS ON THE WAY OF WOMEN EMPOWERMENT**

There are many obstructions on way of achieving goals of women empowerment or gender equality and sustainable development.

A. First hurdle is very patent which lies in stereotypes attitude of society. As stated above, glass ceiling is cause of this attitude. About most of the law related to labour laws like Factories Act, Minimum Wages Act, Equal Remuneration Act etc. are not implemented in India satisfactorily or adequately in India, especially in informal sector.

B. Secondly, the lack of political will in the field of women empowerment commitment is also an obstruction before gender equality and sustainable development. Most of the policies and welfare schemes regarding women's economic independency are hang on political vote banks or faces the problem of lack of fund.

C. Thirdly, the centralisation or unequal distribution of resources is one of the major hurdles in the gender gap. Traditionally, religious personal laws mostly discriminate towards

---

<sup>4</sup> ibid

women. Personal laws frails the economic or property rights for women. The succession laws, inheritance laws or maintenance law etc. are every indiscriminately towards women and women has very less rights on land property unequal to men. Still, in rural and tribal areas most of the population of women is illiterate or having lack of knowledge of their rights, hence, contractors or employers exploits them and provide less wages, that violates their rights. Mostly, the laws are man-made structured, where lack of representation of women needs are major cause in gender equality. The reproductive and sexual health are women specific rights but least considered rights from the perspective of the women. There are 17 Global Goals determined that make up the 2030 Agenda for Sustainable Development in which gender equality is one of the major goal. Although at national and international level acknowledging the women empowerment but real impacts are still missing.

## CONCLUSION

It is concluded that the sustainable development is not only important for environmental protection but also inevitable for women empowerment. As women and nature or environment and its resources are clearly related to each other. Any bad effects on environment inevitably, effects adversely to women. Hence, sustainable development is a way to achieve gender equality. Recently, countries are making plans to accelerate climate change adaptation efforts. Known as national adaptation plans (NAP), these are key mechanism for achieving the goals identified in the climate change agreement countries have committed to the Paris agreement. In this concept, countries are committed to the gender responsive NAP processes that will ensure that resources for adaptation are targeted where they are needed most, yielding more equitable benefits over the longer term.<sup>5</sup> For women empowerment and sustainable development more has to be done. There is need to change the perspective on the ground level and need more cooperation and coordination of countries and civil society. Without a strong and firm determination, the Goal of gender equality with sustainable development can not be achieved. Education and skill development among women especially in rural and tribal women are very major tools to achieve women empowerment. There must be strong awareness among rural and urban areas by the government towards family planning schemes. These are just some steps towards gender equality. A dream of a better world only fulfils strong determination and right things to achieve the goals.

---

<sup>5</sup> Available on <https://www.iisd.org/articles/gender-equality-and-sustainable-development>