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# Gender Justice and Workplace Security

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“All Human Beings are Born Free and Equal in Dignity and Rights”

The progress of civilization and its excellence lies in the study of women and children and the treatment meted out to them.



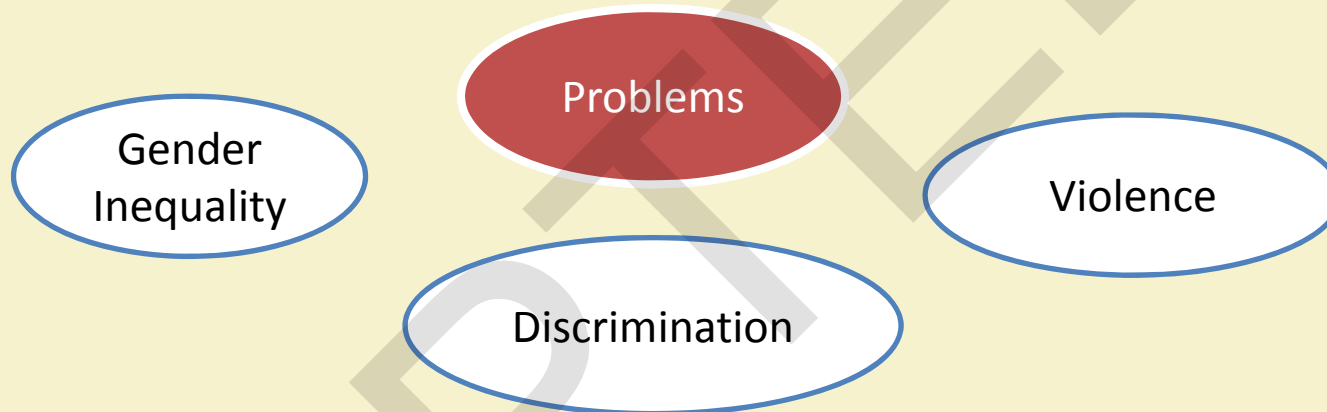
Women are a significant part of the socio-economic-political growth process of a nation.

The full realization of all human rights and fundamental freedoms of women is essential for the empowerment of women. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, to promote and protect the rights and freedoms of women.





Fewer resources, less power and  
less influence in decision making  
process



Transforming gender and power relations, and  
the structures, norms and values that underpin  
them, is critical to ending inequality.



# Conceptual Connotation

- **"Sex"** refers to the biological and physiological characteristics that define men and women.
- **"Gender"** refers to the socially constructed roles, behaviours, activities, and attributes that a given society considers appropriate for men and women. Behavior that is compatible with cultural expectations is referred to as gender-normative; behaviors that are viewed as incompatible with these expectations constitute gender non-conformity.



# Sex & Gender

- Sex and Gender are not interchangeable. The first refers to the physical or physiological differences between males and females- the primary & secondary characteristics that define them.
- It is determined by
  - Chromosomes
  - Hormones
  - External and internal genitalia
  - Secondary sex characteristics

All of these help in calling a being as belonging either to the male sex or female sex.



# Gender is socially constructed

- It refers to the socially constructed roles and responsibilities of women and men in a given culture or location.
- It refers to the social differences between man and women.
- Nature produces male/female beings but society turns them into women and men.





## How do this **self-identification** happen?

- “men will be men” and “boys will be boys”- justifies certain kind of behavior?
- Based on ‘script’ written by society
- Society expects women & men to behave according to the expectations of their respective gender roles.
- It is learned through a process known as socialization-teaching people to behave according to social norms.



**Gendered Socialization** is a process by which people learn to behave in a particular way as dictated by societal values, beliefs and attitudes



Family

Education

Peer group

Media



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# Gender Stereotype

- Gender Stereotyping involves over generalization about the attitudes, traits or behavior patterns of women or men.
  - eg. Riding a bike is a masculine activity; women are too weak or timid to ride a bikes.
  - eg. Cooking is a feminine attribute; men are not suited for the same.
- This forms the basis of **sexism**- prejudiced beliefs that value one sex over another. It varies in level of severity across regions.



# Patriarchy

A social and ideological construct which considers men as superior to women

Manifests itself in male dominance over women in family and society



Labour/productive

Sexuality/ Reproductive

Property/Economic  
resources

Choices/Freedom

Mobility



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# Myths

## Men

- Better at mechanical tasks
- By nature laborious, hard working
- Aggressive, dominating, and more rational

## Women

- Better at nurturing tasks
- Have less stamina, ability to perform
- Submissive, emotional and soft by nature
- Mentally dependent on men for their well being



# Indian Society

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



# Status of Women in Society

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

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



# Early Days

## Vedic Period

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



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## Later Vedic Period

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



# Medieval & British Period

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



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# Independent India

- The drafting of the Constitution enshrining the principles of equality, liberty and social justice formed the basis.
- The framers emphasized on emancipation of the female sex, elimination of inequalities, protection from exploitation and promotion of opportunities and interests (economic) for women.
- In 1971, the Committee on Status of Women (CWSI) in India was constituted. Its report “Towards Equality” indicated- majority of women are still very far from enjoying the rights and opportunities guaranteed to them... The social laws ... have remained unknown to the large masses of women...”( Same exercise repeated in 2001 by NCW)



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# Women- Some Facts & Figures

	Males	Females	
<b>Gender Composition</b>	1000	940	
<b>Literacy Rate</b>	75.3%	53.7%	
<b>Economic Participation</b>	51%	25%	
<b>Main workers</b>	76.7%	23.3%	Majority in rural areas employed predominantly in cultivation & agricultural labour
<b>Health</b>	39	42	Infant Mortality Rate(IMR)
		178 (2010-12)	Maternal Mortality Rate



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	Males (Rural)	Females	Males (Urban)	Females
Daily Wages (Regular/Salaried)	322.28	201.56	469.87	366.15
Casual	149.32	103.28	182.04	110.62
Political Participation		62 (elected in Lok Sabha) 11.4%		11.9% (Rajya Sabha)
		8% in State Assemblies		4% in State Councils
Participation in Judiciary		2 out of 30 judges (SC)		58 out of 609 judges in HCs

Please note, actual nos. may vary based on latest statistics



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# Offences against Women

Crimes	2010	2011	2012	2013	2014	2015
Rape	22172	24206	24903	33707	36735	34651
Kidnapping /abduction of women	29795	35565	38262	51881	57311	59277
Dowry Deaths	8391	8618	8233	8083	8455	7634
Cruelty	94041	99135	106527	118866	122877	113403
Assault	40613	42968	45351	70739	82235	82422



# What is Gender Justice?

- Gender justice entails ending the **inequalities between women and men** that are produced and reproduced in the family, the community, the market and the state.
- It means that **no one may be denied justice or discriminated only because of one's gender (sex)**.
- It also requires that **mainstream institutions** — from justice to economic policymaking — **are accountable for tackling the injustice and discrimination** that keep too many women poor and excluded.
- One of the MDGs of United Nations



# Key to Achieving Gender Justice

- Expanding women-friendly public services: to meet women and girls' rights to education, health and food;
- Guaranteeing land and jobs for women: ensuring the right to a decent livelihood, through access to economic assets;
- Increasing women's voice in decision-making: full participation of women in society, starting from autonomy in the household, to voice in all political processes at community, national and international levels; and
- Ending violence against women and girls: a scourge that too many women and girls face in daily life, stunting their opportunities, curtailing their mobility and denying them rights.



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# Gender Justice

Rights

Violence

Education

Employment

Health

Economic  
Resources

Political  
Participation

Gender  
specific



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# Thank You!!



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# International & Constitutional Perspectives

## Module 2



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## United Nations

1945-1962

Securing Women's Legal equality & rights- Comm. of Human Rts., Comm. on Status of Women, UDHR

1963-1975

Govts. responded to UN by adopting Laws and programs on Women's Rights; Dec. on Elimination of Discrimination against Women, 1967; 1975- Int. Women's Year

1976-1985

UN Decade for Women; CEDAW 1979; World Conferences held in Mexico (1975), Copenhagen (1980), Nairobi (1985)- series of action programs

1986-Till date

Strengthened Institutions and support for women's rights



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# International Developments

- The Preamble of the UN (1945) begins by reaffirming a “faith in fundamental human rights, in the **dignity and worth** of the **human persons**, in the **equal rights of men and women** and of nations large and small”



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# Universal Declaration of Human Rights

- All human beings are born **free** and **equal in dignity and rights**. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.( Art 1)
- Everyone is entitled to **all the rights and freedoms without distinction** of any kind, such as race, colour, sex, language, religion,...(Art 2)
- Everyone has the right to **life, liberty** and **security** of person (Art 3)
- All are **equal before law** and are entitled **without** any **discrimination** to equal protection of law (Art 7)



- **International Covenant on Civil and Political Rights, 1966 & International Covenant on Economic, Social and Cultural Rights, 1966-** Equal right of men and women to the enjoyment of civil and political rights as well as enjoyment of economic, social and cultural rights.
- **CONVENTION ON THE POLITICAL RIGHTS OF WOMEN, 1953-** Women shall be entitled to vote in all elections; women also eligible to fight elections; they will be entitled to hold public office and exercise all public functions;





# DECLARATION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN 1967

Adopted on November, 1967, it tried to highlight the continued discrimination against women;

Take appropriate measures towards ensuring-

- The right, without discrimination on grounds of marital status ... to any work, to free choice of profession and employment
- The right to equal remuneration
- The right to leave with pay, retirement privileges and provision for security in respect of unemployment, sickness, old age
- The right to receive family allowances on equal terms with men.



# Convention on Elimination of All Forms of Discrimination against Women

## International Bill of Rights for Women

- Adopted by the United Nations General Assembly in 1979 and ratified by India in 1993



- The Convention defines discrimination against women as

"...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."

