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Gender Equality and Social Justice in India: A Rational Overview

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Abstract

India, with its cultural heritage and complex historical background, faces significant obstacles to achieving gender equality and ensuring social equity for all its citizens. Gender inequality impacts society, creating unnecessary group divisions that undermine economic development and social justice. Women's empowerment and gender equality are essential for India's vision of becoming a developing nation, "Developed India 2047." This will only be possible when women actively participate in economic, social, and political life. While several government schemes, such as "Beti Bachao Beti Padhao," "Stand up India," and the Maternity Benefit Act 2017, have taken positive steps in this direction, their impact remains limited in rural areas due to the continued lack of access to education. This article provides a rational overview of the complex challenges facing gender equality and social justice in India. It assesses the historical evolution of gender roles in India, the consequences of colonialism, and the impact of traditional norms and practices that have hindered progress toward achieving equality. This article offers a comprehensive perspective on issues related to gender equality and social justice in India. Simone de. Beauvoir states in her book, "A woman is not born; she is made." Experts currently believe that gender equality is not only a question of social justice but also an economic imperative. If the gender gap in the labor force is addressed, India's GDP could increase significantly. According to the World Bank, reducing the gender gap in the workforce could increase India's GDP by \$770 billion (\$60 lakh crore) by 2025. According to an estimate by the World Economic Forum (WEF), gender equality could increase India's GDP by 27%. Despite comprising nearly half of India's population, women still contribute 18% to GDP and work in low-paying jobs. Increasing women's economic participation can boost GDP, thereby increasing job creation and promoting inclusive growth.

Keywords: Equality, Gender, Justice, Law, Education, Women.

Introduction

In the current context, gender equality and social justice have become central topics of discussion. Although the Indian Constitution aims to provide equal opportunities for women

and reduce gender inequalities, the Government of India's schemes such as "Beti Bachao Beti Padhao", "Sukanya Samridhi Yojana", "Indira Gandhi Matritva Sahyog Yojana" provide financial assistance, "Sukanya Samridhi Yojana", "Pradhan Mantri Mudra Yojana", "Pradhan Mantri Samman Nidhi Yojana" provide loans, while the Mahila Kisan Sashaktikaran Yojana promotes agricultural livelihoods. Indian society has historically been based on a patriarchal structure, due to which cultural and structural barriers have long limited women's autonomy and participation in decision-making. In a male-dominated society, it has been believed that women are physically inferior. Women are weak and mentally unstable, intellectually deficient, and incapable of higher creative tasks. They are meant to work within the four walls of the house, to bear and raise children. The result of men's cunning has been that women are confined to household chores. Women's work is labeled as domestic work and is opposed to remuneration. Though the division of labor based on gender, women's work is given no importance in a male-dominated society. Today, women are working shoulder to shoulder with men. Justice B.V. Nagarathna is India's first female Chief Justice. In 2023, Commander Purna Deosthalee will become the first female Indian Navy officer to command an Indian Navy battleship. Currently, the life of Draupadi Murmu, India's first tribal leader and India's second female President, is a source of inspiration. India is a democratic country where all citizens enjoy equal rights, regardless of gender, caste, religion, or economic status. Yet, gender inequality and social injustice remain serious problems in our society. Gender-based discrimination persists in all societies, both developed and underdeveloped. Women and marginalized communities worldwide are victims of this in one way or another. Gender inequality and forms of social injustice are closely intertwined, as gender equality is a form of social justice that impacts individuals and communities in different ways. Civil society, primarily non-governmental organizations (NGOs), community-based organizations (CBOs), and social movements, play a crucial role in promoting gender equality while ensuring social justice. Organizations can provide a platform for marginalized communities, including women and gender-diverse individuals, to voice their concerns and advocate for their rights. They can also raise awareness about the harmful effects of gender inequality and promote positive attitudes toward gender diversity. As Justice B.R. Krishna Iyer once said, the root cause of Indian women's lack of equal treatment by society is the genetic sin they suffer due to their gender discrimination. They suffer in every aspect, including rights related to marital inheritance and economic opportunities, public life, and power processes. No country has successfully achieved gender equality by 2024. 33% of all countries have made no progress since 2015. The situation of women has worsened in 18 countries, including Venezuela, Afghanistan, and South Africa. Based on the current pace of progress, it is estimated that achieving global gender equality will require an additional 131 years. Approximately 40% of women worldwide live in countries with strict abortion laws. Despite the legalization of abortion rights, their safety and security remain vulnerable. Gender equality must be properly implemented and demonstrated. However, women and transgender individuals are also human beings and deserve to fully enjoy their rights without violence.

Method: This article has been written using synthetic and analytical methods.

Objective

The aim of this article is to understand the broad concept of gender equality, analyse the legislative frameworks in place for the proper implementation of gender rights, evaluate the social, economic and political factors contributing to gender inequality, and explore the ways in which gender inequality and social injustice are perpetuated.

Result

The study of gender equality and social justice can result in empowerment, improved economic development, greater social harmony, and improved education and health. This study ensures that all individuals have equal rights and equal opportunities, reducing discrimination and making society overall safer and more just. Gender justice empowers all genders, allowing them to make important decisions about their lives. When it comes to women's empowerment, it is seen as an important means of reducing gender discrimination in almost all societies around the world. Empowerment refers to a process whereby marginalized individuals have better opportunities for self-empowerment. This implies that women's self-confidence increases when they are given opportunities. With increased self-confidence, economic development increases. When women have equal access to resources, work opportunities, and education, they can contribute more fully to the economy. Studying this article will result in increased social harmony. Social harmony is a state of mutual understanding, peace, and cooperation between individuals and groups within society. It is essential for a balanced and cohesive community that brings together people of different cultures and beliefs. Social harmony is based on mutual respect, unity, and brotherhood. It is important for the overall development and progress of society. Social harmony allows members of society to share each other's joys and sorrows and cooperate for the collective welfare. Gender equality ensures that everyone, especially women, has access to better education and health services.

Discussion

Gender equality and social justice in India are fundamental pillars of Indian society and nation-building. This is an issue that requires a rational approach, which is being demonstrated through this article. Since the dawn of human civilization, the integration of men and women was considered essential for the spread and development of universal perspectives. To understand the power of any culture and recognize its value, it is crucial to study the status and condition of women in society. In the Vedic period, women were worshipped as goddesses. They enjoyed education and social freedom, but their status declined in later periods, leading to even greater restrictions and social degradation. In the Rigvedic period, women held a respectable position. They received education and participated in assemblies. Many hymns in the Rigveda were composed by women, called Brahnavadinis. Vishvavara, born in the lineage of Maharishi Atri, He composed six Samskaras described in the twenty-eighth Sukta of the fifth Mandala of the Rigveda. Brahnavadini Apala compiled verses one through seven of the 91st Sukta of the eighty-eight Mandalas of the Rigveda. Similarly, Brahnavadini Ghosh was a renowned scholar. She described all the duties of a Brahmacharini girl in two Suktas, describing them as two Brahmacharinis. This narrative is alluded to in Suktas 39th to 41st of the tenth Mandala of the Rigveda, and in the 47th hymn of Sukta 85th of the tenth Mandala of the Rigveda. The status of women declined in the post-Vedic period.

Women's participation in education, religious activities, and major social decisions diminished. The status of women deteriorated further during the Muslim invasions and Islamic rule. During this time, the practice of purdah confined women to their homes, prohibiting them from leaving their homes. During British rule, some efforts had been made to improve the status of women in Indian society. Social reformers like Rajaram Mohan Roy, Ishwarchandra Vidyasagar, Swami Dayanand Saraswati, Jyotirao Phule, and Savitribai Phule championed women's rights and secured their right to education. It can be argued that a nation cannot achieve progress without providing full opportunities to women, who constitute 50% of its population. Depriving women of education, health, and economic participation is a direct loss of a country's human capital. Women spend an average of two more hours of unpaid work per day than men. In some countries, this gap is even greater. According to the International Labour Organization, unpaid care work accounts for 76.2% of total hours of work globally, more than three times the amount spent by men. According to UN Women, unpaid work includes tasks such as caring for children and the elderly, routine household chores, and shopping. Women spend three times (2.8) more time than men on unpaid care work. Unpaid care work leaves girls and women with less time for education and participation in the formal labor market, limiting their prospects for paid work. It also creates gender gaps in political participation. Unpaid care responsibilities can lead to greater engagement in low-paid or informal work to balance paid employment. Some studies suggest that policies to reduce or redistribute unpaid work between different genders could yield gains of up to 4% in GDP. Women's representation in the labor force in India is 41.7%, nearly doubling from 23.3% in 2017-18. According to the Ministry of Labor and Employment, this figure is projected to increase from 23.3% in 2017-18 to 41.7% in 2023-24. More than half of women's labor in India is unpaid, and almost all of this labor is informal and unprotected. Women lack adequate representation in most sectors. This includes top positions in the business world. In rural India, the percentage of women dependent on agriculture for their livelihoods is as high as 84%. Approximately 33% are women farmers and approximately 47% are agricultural laborers. (Not including women employed in livestock, fisheries, and various other forms of support for the country's food production.)

Gender equality applies to every sphere of life, including education, employment, health, politics, law, and social life. Gender equality means that women, men, and people of all genders, have equal rights, opportunities, and responsibilities in all areas of life. This means that there is no discrimination based on gender in access to health, education, and economic opportunities. India ranks 131st out of 145 countries in the World Economic Forum's Global Gender Gap Index 2025, down from 129th in 2024. Its gender parity is 64.1%. Gender discrimination, social norms, and the prevalence of gender discrimination increase the risk of child marriage, teenage pregnancy, child domestic work, poor education, health exploitation, and violence against girls. Many of these manifestations will not change until girls are given greater importance. Education is a key means of promoting gender equality. Education empowers women by providing them with the knowledge and capabilities to participate in social, economic, and political life. Providing women and girls with the means to fully participate in all aspects of life can help promote gender equality. Social justice not only addresses the common good, but also emphasizes key elements of modern governance and politics, such as the rule of law, equality before the law, independence of the judiciary, dignity of the individual, public welfare, social, economic, and political inclusion. Generally, social

justice aims to create a system that integrates the underprivileged, oppressed, and marginalized sections of society, as well as women, into the mainstream. Towards this objective, Rousseau pointed out that no man should be so rich that he can control the life of another, nor should he be so ruthless that he is forced to sell himself. If we consider social justice in the Indian context, not only are detailed provisions for social justice provided in the Indian Constitution, but this clear reflection of social justice is also found in the thoughts of Swami Vivekananda, Mahatma Gandhi, Dr. Ambedkar, Jyotiba Phule, Pandit Nehru, Periyar, and others. Mahatma Gandhi articulated the concept of the welfare of all, while Swami Vivekananda emphasized the absence of any kind of privilege or discrimination in society. However, Swamiji advocated positive diversity, i.e., privileges for Shudras and women, to establish social justice. Dr. Ambedkar's thinking focused primarily on the struggle for rights for Dalits and the underprivileged and the abolition of untouchability, which he analyzed in detail in his book "Annihilation of Caste" (1936). He believed that there is no place for social and economic development in a discriminatory system. In this context, he has described social and economic democracy as a prerequisite for political democracy.

The right to equality is the foundation for the development of society on which a new building of development can be built.

Equality does not only mean that every social being has the same gender, but also gender equality and equal rights, responsibilities, employment and equal income for all beings in the society. Keeping this fact in mind, in September 2015, 17 Sustainable Development Goals were set under the United Nations Agenda 2030, which were signed by 193 nations including India. Under these 17 goals, Goal 5 was mainly aimed at achieving gender equality. Gender inequality means seeing women as weaker than men on the basis of gender. How cruel is it for women to face double standards, exploitation, insult and discrimination in their homes and society? Due to the problem of gender inequality, almost all women in the society have to face harassment by men. They have to endure unfortunate incidents like exploitation and sexual harassment.

Reasons for Gender inequality in India

The following are the reasons for the problem of gender inequality prevalent in India.

- **Patriarchal mindset:** The main reason for gender inequality in Indian society is its patriarchal system. According to renowned sociologist Sylvia Walby, patriarchy is a system of social structures and practices in which men dominate, oppress, and exploit women. Patriarchy finds its legitimacy and acceptance in Indian society through religious beliefs and customary practices, whether Hindu, Muslim, or any other religion.
- **Son Preference:** In Indian society, a man is considered the head and nurturer of the family. According to Manu, "In childhood, women live under the protection of their fathers, after marriage, under the protection of their husbands, and in old age, in the case of widowhood, under the protection of their sons." In no stage of life is she allowed to live independently as she pleases.
- **Property Ownership:** Only sons are considered to have ownership over their father's property. Legally, as per a Supreme Court order, daughters have equal rights over

their father's property. Even then, daughters do not have any ownership over the property inherited by sons.

Due to patriarchy, it is believed in Indian society that only a son's inheritance can enhance a lineage. However, a daughter contributes to someone else's lineage.

Viewing women as a weaker section of society is a mindset that women cannot sustain their lives alone or support their families like a man can.

Constitutional provisions towards gender equality in India

- Article 14: The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India. This provision prohibits discrimination on the basis of sex.
- Article 15: The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.
- Article 15(3): It empowers the State to make special provisions (positive discrimination) for women and children, thereby making it possible to make laws for their advancement.
- Article 16: It guarantees equality of opportunity in matters of public employment and prohibits any discrimination on the basis of sex.
- Article 19: Freedom of speech, movement and religion
- Article 21: Right to personal liberty
- Article 23: Prohibition of human and labour trafficking.
- Article 38: Responsibility of the State for public welfare.
- Article 39(a): This Directive Principle directs the State to ensure that both men and women have equally the right to an adequate means of livelihood.
- Article 39(d): This provision talks about equal pay for equal work for both men and women.
- Article 41: Right to work and education.
- Article 42: It directs the State to make provision for just and humane conditions of work and maternity relief.
- Article 51 A (e): This fundamental duty requires every citizen of India to renounce practices that are derogatory to the dignity of women.

Apart from these constitutional provisions, several laws have also been enacted to address gender inequality, such as: Equal Remuneration Act, 1976 and

The Protection of Women from Domestic Violence Act, 2005.

Conclusion

India has taken significant steps towards gender equality and social justice. Policies such as the Domestic Violence Act, the Beti Bachao Beti Padhao scheme, and reservations for women in local governance have all contributed to strengthening women's positions. Their participation in education, politics, and the economy has improved. Despite this, challenges remain. Violence against women continues, reflecting the lack of education among women.

However, the impact of policies is often limited due to inadequate implementation and inadequate information reaching women in rural areas. Gender-equality-oriented education, community engagement, active civil society participation, and This will only be achieved through women's genuine decision-making power. Achieving true gender equality in India requires going beyond laws and policies and shifting cultural mindsets and social attitudes.

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