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### **1. What is feminism and explain their details?**

Feminist theory is the extension of feminism into theoretical, fictional, or philosophical discourse. It aims to understand the nature of gender inequality. It examines women's and men's social roles, experiences, interests, chores, and feminist politics in a variety of fields, such as anthropology and sociology, communication, media studies, psychoanalysis, home economics, literature, education, and philosophy.

Feminist theory focuses on analyzing gender inequality. Themes explored in feminism include discrimination, objectification (especially sexual objectification), oppression, patriarchy, stereotyping, art history and contemporary art, and aesthetics.

Woman she realizes is always perceived of as the "other", "she is defined and differentiated with reference to man and not he with reference to her". In this book and her essay, "Woman: Myth & Reality", de Beauvoir anticipates Betty Friedan in seeking to demythologize the male concept of woman. "A myth invented by men to confine women to their oppressed state. For women, it is not a question of asserting themselves as women, but of becoming full-scale human beings." "One is not born, but rather becomes, a woman", or as Toril Moi puts it "a woman defines herself through the way she lives her embodied situation in the world, or in other words, through the way in which she makes something of what the world makes of her". Therefore, the woman must regain subject, to escape her defined role as "other", as a Cartesian point of departure. In her examination of myth, she appears as one who does not accept any special privileges for women. Ironically, feminist philosophers have had to extract de

Beauvoir herself from out of the shadow of Jean-Paul Sartre to fully appreciate her. While more philosopher and novelist than activist, she did sign one of the *Mouvement de Libération des Femmes* manifestos.

The resurgence of feminist activism in the late 1960s was accompanied by an emerging literature of concerns for the earth and spirituality, and environmentalism. This, in turn, created an atmosphere conducive to reigniting the study of and debate on matricentricity, as a rejection of determinism, such as Adrienne Rich and Marilyn French while for socialist feminists like Evelyn Reed, patriarchy held the properties of capitalism. Feminist psychologists, such as Jean Baker Miller, sought to bring a feminist analysis to previous psychological theories, proving that "there was nothing wrong with women, but rather with the way modern culture viewed them".

Elaine Showalter describes the development of feminist theory as having a number of phases. The first she calls "feminist critique" – where the feminist reader examines the ideologies behind literary phenomena. The second Showalter calls "Gynocritics" – where the "woman is producer of textual meaning" including "the psychodynamics of female creativity; linguistics and the problem of a female language; the trajectory of the individual or collective female literary career and literary history"

### **1 (b) what is gender equality and gender sensitivity?**

Gender equality, also known as sexual equality or equality of the sexes, 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 behaviors, aspirations and needs equally, regardless of gender.

Gender equality is the goal, while gender neutrality and gender equity are practices and ways of thinking that help in achieving the goal. Gender parity, which is used to measure gender balance in a given situation, can aid in achieving gender equality but is not the goal in and of itself. Gender equality is more than equal representation, it is strongly tied to women's rights, and often requires policy changes. As of 2017, the global movement for gender equality has not

incorporated the proposition of genders besides women and men, or gender identities outside of the gender binary.

UNICEF says gender equality "means that women and men, and girls and boys, enjoy the same rights, resources, opportunities and protections. It does not require that girls and boys, or women and men, be the same, or that they be treated exactly alike."

On a global scale, achieving gender equality also requires eliminating harmful practices against women and girls, including sex trafficking, femicide, wartime sexual violence, and other oppression tactics. UNFPA stated that, "despite many international agreements affirming their human rights, women are still much more likely than men to be poor and illiterate. They have less access to property ownership, credit, training and employment. They are far less likely than men to be politically active and far more likely to be victims of domestic violence."

As of 2017, gender equality is the fifth of seventeen sustainable development goals of the United Nations. Gender inequality is measured annually by the United Nations Development Programme's Human Development Reports.

## **2. Explain the biological determination?**

Feminism is said to be the movement to end women's oppression (hooks 2000, 26). One possible way to understand 'woman' in this claim is to take it as a sex term: 'woman' picks out human females and being a human female depends on various biological and anatomical features (like genitalia). Historically many feminists have understood 'woman' differently: not as a sex term, but as a gender term that depends on social and cultural factors (like social position). In so doing, they distinguished sex (being female or male) from gender (being a woman or a man), although most ordinary language users appear to treat the two interchangeably. More recently this distinction has come under sustained attack and many view it nowadays with (at least some) suspicion. This entry outlines and discusses distinctly feminist debates on sex and gender.

## 1. The sex/gender distinction.

The terms 'sex' and 'gender' mean different things to different feminist theorists and neither are easy or straightforward to characterise. Sketching out some feminist history of the terms provides a helpful starting point.

### 1.1 Biological determinism

Most people ordinarily seem to think that sex and gender are coextensive: women are human females, men are human males. Many feminists have historically disagreed and have endorsed the sex/ gender distinction. Provisionally: 'sex' denotes human females and males depending on biological features (chromosomes, sex organs, hormones and other physical features); 'gender' denotes women and men depending on social factors (social role, position, behaviour or identity). The main feminist motivation for making this distinction was to counter biological determinism or the view that biology is destiny.

A typical example of a biological determinist view is that of Geddes and Thompson who, in 1889, argued that social, psychological and behavioural traits were caused by metabolic state. Women supposedly conserve energy (being 'anabolic') and this makes them passive, conservative, sluggish, stable and uninterested in politics. Men expend their surplus energy (being 'katabolic') and this makes them eager, energetic, passionate, variable and, thereby, interested in political and social matters. These biological 'facts' about metabolic states were used not only to explain behavioural differences between women and men but also to justify what our social and political arrangements ought to be. More specifically, they were used to argue for withholding from women political rights accorded to men because (according to Geddes and Thompson) "what was decided among the prehistoric Protozoa cannot be annulled by Act of Parliament" (quoted from Moi 1999, 18). It would be inappropriate to grant women political rights, as they are simply not suited to have those rights; it would also be futile since women (due to their biology) would simply not be interested in exercising their political rights. To counter this kind of biological determinism, feminists have argued that behavioural and psychological differences have social, rather than biological, causes. For instance, Simone de

Beauvoir famously claimed that one is not born, but rather becomes a woman, and that “social discrimination produces in women moral and intellectual effects so profound that they appear to be caused by nature” (Beauvoir 1972 [original 1949], 18; for more, see the entry on Simone de Beauvoir). Commonly observed behavioural traits associated with women and men, then, are not caused by anatomy or chromosomes. Rather, they are culturally learned or acquired.

Although biological determinism of the kind endorsed by Geddes and Thompson is nowadays uncommon, the idea that behavioural and psychological differences between women and men have biological causes has not disappeared. In the 1970s, sex differences were used to argue that women should not become airline pilots since they will be hormonally unstable once a month and, therefore, unable to perform their duties as well as men (Rogers 1999, 11). More recently, differences in male and female brains have been said to explain behavioural differences; in particular, the anatomy of corpus callosum, a bundle of nerves that connects the right and left cerebral hemispheres, is thought to be responsible for various psychological and behavioural differences. For instance, in 1992, a Time magazine article surveyed then prominent biological explanations of differences between women and men claiming that women's thicker corpus callosums could explain what ‘women's intuition’ is based on and impair women's ability to perform some specialised visual-spatial skills, like reading maps (Gorman 1992). Anne Fausto-Sterling has questioned the idea that differences in corpus callosums cause behavioural and psychological differences. First, the corpus callosum is a highly variable piece of anatomy; as a result, generalisations about its size, shape and thickness that hold for women and men in general should be viewed with caution. Second, differences in adult human corpus callosums are not found in infants; this may suggest that physical brain differences actually develop as responses to differential treatment. Third, given that visual-spatial skills (like map reading) can be improved by practice, even if women and men's corpus callosums differ, this does not make the resulting behavioural differences immutable.

## **2 (b) what is gender discrimination?**

Discrimination based on gender (or sex) is a common civil rights violation that takes many forms, including sexual harassment, pregnancy discrimination, and unequal pay for women who do the same jobs as men. Unfortunately, most U.S. women are all too familiar with all of these inequalities. This section offers in-depth information on unlawful gender and sex discrimination in a number of settings -- including employment and education -- and provides links to key federal laws and U.S. Supreme Court decisions related to gender and sex discrimination. Gender discrimination laws also protect the rights of transgender individuals. Read the articles below to learn how to identify and protect you against gender based discrimination.

### Gender Discrimination: Federal Laws

As with race, the United States still has work to do with respect to discrimination on the basis of one's gender. This type of discrimination generally impacts women, who typically earn less and are promoted less often than their male counterparts. Certain federal laws have attempted to level the playing field, including the following:

Civil Rights Act of 1964: Title VII - Prohibits discrimination in employment on the basis of gender

Equal Credit Opportunity Act - Prohibits discrimination against credit applicants on the basis of gender

Fair Housing Act - Prohibits discrimination in the sale, rental, or financing of housing based on gender

Equal Pay Act of 1963 - Requires equal pay for equal work, regardless of gender

Family and Medical Leave Act - Employees given the right to take time off from work for an illness or to care for an ill family member

Pregnancy Discrimination Act - Prohibits discrimination against women who are pregnant, perceived to be pregnant, or who plan to become pregnant

Title IX - Title IX of the Civil Rights Act, added in 1972, requires parity among educational programs with respect to gender

### **3. Explain the media power and their law?**

Freedom of the media is indeed an integral part of the freedom of expression and essential requisite of a democratic set up. The Indian Constitution has granted this freedom by way of Fundamental Right. The media, which is obligated to respect the rights of individual, is also obligated to work within the framework of legal principles and statutes. These principles/statutes have been framed by way of minimum standards and do not intend to detract from higher standards of protection to the freedom of expression.

The media is the Fourth limb of a democratic system, the legislature, executive and judiciary being the other three. While legislature prepares the law for the society and the executive takes steps for implementing them, the third stepping-stone is the judiciary, which has to ensure legality of all actions and decisions. The Fourth Estate i.e. the press has to operate within the framework of these statutes and constitutional provision to act in public and national interest. This is indicative of the fact that nobody is above law. When the Constitution of India guaranteed freedom of expression and speech to its citizens, it ensured that the freedom was not absolute and any expression, by way of words, speech or visual medium, did not violate any statutory provisions enacted by legislature and executed by the executive. If the media, electronic or print, exceeded its jurisdiction, the courts came forward to ensure that violation of the Fundamental rights by the media does not go unchecked.

The Press Council of India, which I represent here today as its Chairman, was born out of the anxiety of our constitutional fathers to ensure that democracy can flourish only where its citizens enjoy full freedom of speech and expression subject only to reasonable restrictions. The press is rightly covered within the ambit of Article 19 (1) (a) even without an express mention. However, once the freedom struggle was over it was realised that a new kind of press was emerging in the post independence era whose aims and objects were undergoing fast change. The First Press Commission set up in 1954 examined the

issue in depth and proposed the establishment of a Press Council as a peer body by regulate the conduct of their own brethren without any outside or governmental interference. Similar bodies were functional in several other democracies, but these were primarily voluntary organisations. In India, it was deemed more appropriate to give the Council the statutory backing affording due weightage of its adjudications and pronouncements. The Press Council of India has since functioned like a Court of Honour, guiding the print media along the path of ethical conduct and at the same time protecting it from any onslaught on its freedom.

The Press Council also functions as an advisory body to the government on matters affecting press freedom and has rendered valuable advise on several legislations. These cover the areas of libel, invasion of privacy, right to information, parliamentary privileges, Prevention of Terrorist Activities, Official Secrets, and many more. Lately, the Press Council had advised the Parliament on 'Truth' being accepted as a defence in contempt of court proceedings, and the enactment incorporating these provisions in Contempt of Court Act has recently been passed.

### **3(b) what are the elements of sexual harassment?**

Sexual harassment may occur in a variety of circumstances and in places as varied as factories, schools, colleges, the theater, and the music business. Often, the perpetrator has or is about to have power or authority over the victim (owing to differences in social, political, educational or employment relationships as well as in age). Harassment relationships are specified in many ways:

The perpetrator can be anyone, such as a client, a co-worker, a parent or legal guardian, relative, a teacher or professor, a student, a friend, or a stranger.

Harassment can occur in varying locations, in schools, colleges, workplaces, in public, and in other places.

Harassment can occur whether or not there are witnesses to it.



The perpetrator may be completely unaware that his or her behavior is offensive or constitutes sexual harassment. The perpetrator may be completely unaware that his or her actions could be unlawful.

Incidents of harassment can take place in situations in which the targeted person may not be aware of or understand what is happening.

An incident may be a one-time occurrence.

Adverse effects on harassed persons include stress, social withdrawal, sleep disorders, eating difficulties, and other impairments of health.

The victim and perpetrator can be any gender.

The perpetrator does not have to be of the opposite sex.

The incident may arise from misunderstanding by the perpetrator and/or the victim. These misunderstandings can be reasonable or unreasonable.

#### **4. Explain the national policy for empowerment?**

The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women.

Within the framework of a democratic polity, our laws, development policies, Plans and programmes have aimed at women's advancement in different spheres. From the Fifth Five Year Plan (1974-78) onwards has been a marked shift in the approach to women's issues from welfare to development. In recent years, the empowerment of women has been recognized as the central issue in determining the status of women. The National Commission for Women was set up by an Act of Parliament in 1990 to safeguard the rights and legal entitlements of women. The 73rd and 74th Amendments (1993) to the Constitution of India have provided for reservation of seats in the local bodies of Panchayats and Municipalities for women, laying a strong foundation for their participation in decision making at the local levels.

1.3 India has also ratified various international conventions and human rights instruments committing to secure equal rights of women. Key among them is the ratification of the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) in 1993.

1.4 The Mexico Plan of Action (1975), the Nairobi Forward Looking Strategies (1985), the Beijing Declaration as well as the Platform for Action (1995) and the Outcome Document adopted by the UNGA Session on Gender Equality and Development & Peace for the 21st century, titled "Further actions and initiatives to implement the Beijing Declaration and the Platform for Action" have been unreservedly endorsed by India for appropriate follow up.

1.5 The Policy also takes note of the commitments of the Ninth Five Year Plan and the other Sectoral Policies relating to empowerment of Women.

1.6 The women's movement and a wide-spread network of non-Government Organisations which have strong grass-roots presence and deep insight into women's concerns have contributed in inspiring initiatives for the empowerment of women.

1.7 However, there still exists a wide gap between the goals enunciated in the Constitution, legislation, policies, plans, programmes, and related mechanisms on the one hand and the situational reality of the status of women in India, on the other. This has been analyzed extensively in the Report of the Committee on the Status of Women in India, "Towards Equality", 1974 and highlighted in the National Perspective Plan for Women, 1988-2000, the Shramshakti Report, 1988 and the Platform for Action, Five Years After- An assessment"

1.8 Gender disparity manifests itself in various forms, the most obvious being the trend of continuously declining female ratio in the population in the last few decades. Social stereotyping and violence at the domestic and societal levels are some of the other manifestations. Discrimination against girl children, adolescent girls and women persists in parts of the country.

1.9 The underlying causes of gender inequality are related to social and economic structure, which is based on informal and formal norms, and practices.

1.10 Consequently, the access of women particularly those belonging to weaker sections including Scheduled Castes/Scheduled Tribes/ Other backward Classes and minorities, majority of whom are in the rural areas and in the informal, unorganized sector – to education, health and productive resources, among others, is inadequate. Therefore, they remain largely marginalized, poor and socially excluded.

#### **4. (B) what is mainstreaming global policies?**

Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.

There are different approaches to gender mainstreaming:

**Institutional perspective:** The ways in which specific organizations adopt and implement mainstreaming policies. This will often involve an analysis of how national politics intersects with international norms and practices.

**Discursive perspective:** Queries the ways in which mainstreaming reproduces power relations through language and issue-framing. This approach will often involve looking at documents, resolutions and peace agreements to see how they reproduce the narratives of gender in a political context.

These approaches are not necessarily competing, and can be seen as complementary.

The ways in which approaches are used, however, can also reflect differing feminist theories. For example, liberal feminism is strongly invoked by mainstreaming through the binary approach of gender in strict relation to the public sphere of policymaking. Poststructuralist feminism can be seen in mainstreaming thought which seeks to displace gender difference as the sole axis of difference and to highlight the diversity of policy its ramifications

## **5. Explain the domestic violence act?**

Violence Act 2005 different from the provision of the Penal Code - section 498A of the Indian Penal Code - in that it provides a broader definition of domestic violence.

Domestic violence is defined by Section 3 of the Act as "any act, omission or commission or conduct of the respondent shall constitute domestic violence in case it:

harms or injures or endangers the health, safety, life, limb or well-being, whether mental or physical, of the aggrieved person or tends to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse; or

harasses, harms, injures or endangers the aggrieved person to coerce her or any other person related to her to meet any unlawful demand for any dowry or other property or valuable security; or

has the effect of threatening the aggrieved person or any person related to her by any conduct mentioned in clause (a) or clause (b); or

otherwise injures or causes harm, whether physical or mental, to the aggrieved person."

The Act goes on, through the section Explanation 1, to define "physical abuse", "sexual abuse", "verbal and emotional abuse" and "economic abuse".

### **5(b) what are the elements of prevention of sexual harassment at work place ?**

The Act defines sexual harassment at the work place and creates a mechanism for redressal of complaints. It also provides safeguards against false or malicious charges.

The Act also covers concepts of 'quid pro quo harassment' and 'hostile work environment' as forms of sexual harassment if it occurs in connection with an act or behaviour of sexual harassment.

The definition of "aggrieved woman", who will get protection under the Act is extremely wide to cover all women, irrespective of her age or employment status, whether in the organised or unorganised sectors, public or private and covers clients, customers and domestic workers as well.

An employer has been defined as any person who is responsible for management, supervision, and control of the workplace and includes persons who formulate and administer policies of such an organisation under Section 2(g).

While the "workplace" in the Vishakha Guidelines is confined to the traditional office set-up where there is a clear employer-employee relationship, the Act goes much further to include organisations, department, office, branch unit etc. in the public and private sector, organized and unorganized, hospitals, nursing homes, educational institutions, sports institutes, stadiums, sports complex and any place visited by the employee during the course of employment including the transportation. Even non-traditional workplaces which involve tele-commuting will get covered under this law.

The Committee is required to complete the inquiry within a time period of 90 days. On completion of the inquiry, the report will be sent to the employer or the District Officer, as the case may be, they are mandated to take action on the report within 60 days.

Every employer is required to constitute an Internal Complaints Committee at each office or branch with 10 or more employees. The District Officer is required to constitute a Local Complaints Committee at each district, and if required at the block level.

The Complaints Committees have the powers of civil courts for gathering evidence.

The Complaints Committees are required to provide for conciliation before initiating an inquiry, if requested by the complainant.

The inquiry process under the Act should be confidential and the Act lays down a penalty of Rs 5000 on the person who has breached confidentiality.

The Act requires employers to conduct education and sensitisation programmes and develop policies against sexual harassment, among other obligations. The objective of Awareness Building can be achieved through Banners and Poster displayed in the premises, eLearning courses for the employees, managers and Internal Committee members, Classroom training sessions, Communication of Organizational Sexual Harassment Policy through emails, eLearning or Classroom Training. It is recommended that the eLearning or Classroom Training be delivered in the primary communication language of the employee.

Penalties have been prescribed for employers. Non-compliance with the provisions of the Act shall be punishable with a fine of up to ₹ 50,000. Repeated violations may lead to higher penalties and cancellation of licence or deregistration to conduct business.

Government can order an officer to inspect workplace and records related to sexual harassment in any organisation.

Under the Act, which also covers students in schools and colleges as well as patients in hospitals, employers and local authorities will have to set up grievance committees to investigate all complaints. Employers who fail to comply will be punished with a fine of up to 50,000 rupees.