

## HISTORY OF FEMINIST PERSPECTIVE AND FEMALE PARTICIPATION IN WORK FORCE IN INDIA

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### ABSTRACT

Feminism has been much talked about in the modern era, especially due to the increased awareness and education that led to the realisation of women's rights and justice. Women are no longer ready to submit themselves to harassment and demand relationships on equitable principles. UN has played an important role by organising 4 world conferences on women in 1975, 1980, 1985, and 1995

Various critical areas were recognised and strategies were formulated to fight against violence, poverty and empowering the women to take their decisions and promote their health. For this purpose the Commission on the Status of Women has been instrumental in portraying the reality of women's lives and working toward gender equality. UN has also included gender equality in its 17 Sustainable development goals, ensuring legal and legislative changes for women's rights. Every year

Many theories and views have been presented till date on what is feminism and gender equality since the times immemorial. The perspectives of different thinkers and writers have gone to make a huge impact on how we think about feminism in today's modern perspective, thus acting as a blueprint in our minds of how feminism was shaped over time. This paper is a compilation of the literature review on how feminism evolved over time and in what shape does it exist in the society today.

**Key words:** *Feminism, gender equality, work force participation*

### INTRODUCTION

The women's movement in India has a long and rich history in which millions of ordinary women live, work, and struggle to survive in order to remake their family, home, and social lives. (Ray, 2014)

Female labour force participation may be a driver of growth and therefore, participation rates indicate the potential for an Economy to grow sooner. However, the connection between women's engagement within the labour market and broader development outcomes is complex. The participation of girls within the labour force varies considerably across developing countries and emerging economies, much more than in the case of men. within the Middle East, North Africa and South Asia, less than one-third of girls of working-age participate, while the proportion reaches around two-thirds in East Asia and sub-Saharan Africa. This variation is driven by a fairly Large Number of economic and social factors including economic process, increasing educational attainment, falling fertility rates and social norms. Besides labour market gender gaps are more pronounced in developing countries, and disparity is highest in South Asian countries. (Verick, 2014)

According to historians there are three waves of Indian feminism : a first wave which corresponded to the mass mobilization of women during the nationalist struggle; a second wave in the 1960s, which involved women in popular protests and the formation of autonomous women's groups; and a third wave dominated by city-based Non Governmental Organizations (NGOs) around issues of rape, dowry and domestic violence (Gandhi N. & Shah N., 1999). (Gupta, 2016)

There have been many initiatives in our country that reflected growth of feminism:

**Blank Noise Campaign** was formed to address street sexual harassment in India. Early campaigns drew from the individual experiences and testimonials of volunteers to articulate gendered and classed desires to be seen and not touched, and to circulate around the city during day and night without danger. It is the emphasis on

inviting individual reflection on women's experiences of the city and their dreams for its future that I am reading as an example of how neoliberal agency is asserted and articulated. (Gupta, 2016)

### Social Equity Theory

Equity theory posits that when it comes to relationships, two concerns stand out: (1) How rewarding are their societal, family, and work relationships? (2) How fair and equitable are those relationships? According to equity theory, people feel most comfortable when they are getting exactly what they deserve from their relationships—no more and certainly no less. Equity theory consists of four propositions:

- **Proposition I.** Men and women are “wired up” to try to maximize pleasure and minimize pain.
- **Proposition II.** Society, however, has a vested interest in persuading people to behave fairly and equitably. Groups will generally reward members who treat others equitably and punish those who treat others inequitably.
- **Proposition III.** Given societal pressures, people are most comfortable when they perceive that they are getting roughly what they deserve from life and love. If people feel over benefited, they may experience pity, guilt, and shame; if underbenefited, they may experience anger, sadness, and resentment.
- **Proposition IV.** People in inequitable relationships will attempt to reduce their distress via a variety of techniques: by restoring psychological equity, actual equity, or leaving the relationship.

### TRENDS IN WOMEN LABOUR PARTICIPATION IN SOUTH EAST ASIAN COUNTRIES:

According to a report by International Labour Organisation (Verick, 2014) the long run trends suggest that ladies have increased their participation in Bangladesh, which is thanks to the expansion of the readymade garment sector and a rise in rural female employment, mainly on account of the spread of micro-credit. Apart from Nepal, where the participation rate for ladies reached 79.4 per cent in 2010-11 and therefore the Maldives (54 per cent in 2009-10), Bangladesh now has the very best rate within the region. The rate has also increased in Pakistan, albeit from a really low starting point, and is especially low within the urban areas, while participation has remained relatively stable in Sri Lanka, though the latter has witnessed robust economic process and powerful improvements in social indicators in recent years. (Verick, 2014)

Most notable is the falling engagement of girls within the Indian labour force, which occurred despite strong economic progress and rising wages and incomes.

The report published by the International Labour organisation shows the most significant development, the declining engagement of women within the labour force of India., which has taken place despite the grave economic progress and increase in the wages for work.

The report has foreseen that the female participation ratios have been confusing. It significantly declined from 34.1% in 1990-91 to 27.2 % in 2011-12, and the gap between the number of males and females participating in the workforce also continued for decades. (Verick, 2014)

#### *Context and Importance of Equity Theory*

People everywhere are concerned with justice. “What’s fair is fair!” “She deserves better.” “It’s just not right.” “He can’t get away with that: It’s illegal.” “It’s unethical!” “It’s immoral.” Yet, historically, societies have had very different visions as to what constitutes social justice and fairness.

### *Equity Theory Implications*

Cross-cultural and historical researchers have long been interested in the impact of culture on perceptions of social justice. They contend that culture exerts a profound impact on how concerned men and women are with fairness and equity and on how fairness is defined, especially in the realm of gender relationships.

Cultural and historical perspectives suggest several questions for researchers interested in social justice: What aspects of justice, love, sex, and intimacy are universal? Which are social constructions? In the wake of globalization, is the world becoming one and homogeneous, or are traditional cultural practices more tenacious and impervious to deep transformation than some have supposed?

Theorists are also engaged in a debate as to whether certain visions of social justice, (especially in romantic and marital relationships) are better than others. Some cultural theorists argue that all visions are relative and that social psychologists must avoid cultural arrogance and ethnocentrism and strive to respect cultural variety. Others insist that universal human rights do exist and that certain practices are abhorrent, whatever their cultural sources. These include genocide (ethnic cleansing), torture, and in the area of gender and family relationships, the sale of brides, the forcing of girls into prostitution, dowry murders, suttee or widow burning, genital mutilation, infanticide, and discriminatory laws against women's civic, social, and legal equality, just to name just a few. In this world, in which the yearning for modernity and globalization contend with yearnings for cultural traditions, this debate over what is meant by equity and social justice is likely to continue and to be a lively one. (www.iresearch.net)

### Women and human rights

The landmark Declaration, adopted by the General Assembly on 10 December 1948, reaffirms that "All human beings are born free and equal in dignity and rights" and that "everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, ... birth or other status."

### **WORLD CONFERENCES ON WOMEN**

UN has organized 4 world conferences on women. These took place in Mexico city in 1975, Copenhagen in 1980, Nairobi in 1985, and Beijing In 1995. The event was described by many as "the birth of global feminism". Realizing that the goals of the Mexico City Conference had not been adequately met, the 157 participating governments adopted the Nairobi Forward-looking Strategies to the Year 2000. The document broke new ground by declaring all issues to be women's issues.

### *Commission on the Status of Women*

The Commission on the Status of Women (CSW) is the principal global intergovernmental body exclusively dedicated to the promotion of gender equality and the empowerment of women. The CSW is instrumental in promoting women's rights, documenting the reality of women's lives throughout the world, and shaping global standards on gender equality and the empowerment of women.

#### **1) An Organization for women**

On 2 July 2010, the United Nations General Assembly unanimously voted to create a single UN body tasked with accelerating progress in achieving gender equality and women's empowerment. The new UN Entity for Gender Equality and the Empowerment of Women – or UN Women – merged four of the world body's agencies and offices: the UN Development Fund for Women (UNIFEM), the Division for the Advancement of Women

(DAW), the Office of the Special Adviser on Gender Issues, and the UN International Research and Training Institute for the Advancement of Women.

## 2) Women and the Sustainable Development Goals

### *Gender equality*

The United Nations is now focusing its global development work on the recently-developed 17 Sustainable Development Goals (SDGs). Women have a critical role to play in all of the SDGs, with many targets specifically recognizing women's equality and empowerment as both the objective, and as part of the solution.

**Goal 5, to "Achieve gender equality and empower all women and girls"** is known as the stand-alone gender goal, because it is dedicated to achieving these ends. Deep legal and legislative changes are needed to ensure women's rights around the world. While a record 143 countries guaranteed equality between men and women in their Constitutions by 2014, another 52 had not taken this step.

Stark gender disparities remain in economic and political realms. While there has been some progress over the decades, on average women in the labour market still earn 24 per cent less than men globally. As of August 2015, only 22 per cent of all national parliamentarians were female, a slow rise from 11.3 per cent in 1995.

### *Eliminating Violence Against Women*

The UN system continues to give particular attention to the issue of violence against women. The 1993 General Assembly Declaration on the Elimination of Violence against Women contained "a clear and comprehensive definition of violence against women [and] a clear statement of the rights to be applied to ensure the elimination of violence against women in all its forms". It represented "a commitment by States in respect of their responsibilities, and a commitment by the international community at large to the elimination of violence against women".

Violence against women is a pandemic affecting all countries, even those that have made laudable progress in other areas. **Worldwide, 35 per cent of women have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence**

In September 2017, the European Union and the United Nations joined forces to launch **the Spotlight Initiative, a global, multi-year initiative that focuses on eliminating all forms of violence against women and girls.**

**The International Day for the Elimination of Violence against Women is observed on 25 November.**

## **WOMEN'S DAY AND OTHER OBSERVANCES**

International Women's Day is observed annually on 8 March. International Women's Day first emerged from the activities of labour movements at the turn of the twentieth century in North America and across Europe. It is a day, observed by many countries around the world, on which women are recognized for their achievements without regard to divisions, whether national, ethnic, linguistic, cultural, economic or political.

### *Gender-inclusive language*

Given the key role that language plays in shaping cultural and social attitudes, using gender-inclusive language is a powerful way to promote gender equality and eradicate gender bias.

Being inclusive from a gender language perspective means speaking and writing in a way that does not discriminate against a particular sex, social gender or gender identity, and does not perpetuate gender stereotypes. (United Nations)

Berik et al., (2009) examined on engendering macroeconomic theory and policies presenting an overview of feminist critiques of neoliberal policies, key debates on conceptualisation and measurement of well-being, methodologies for gender aware analysis, and recent empirical evidence. Gendered development histories of Chile, Uruguay, Republic of Korea, Taiwan Province of China, Malaysia and VietNam given in this book. Argued that neoliberal policy reforms have had contradictory effects on the well-being of women and men, and the pursuit of macroeconomic stability has had disproportionately negative effects on women. Promoting gender equity in education, access to assets and credit, and the labour market would help to achieve not only a fairer society but also crucial macroeconomic goals. The study identified the fiscal austerity regime as the main obstacle for promoting gender equitable well-being. (Government of Kerala, 2018)

#### ***An Overview of the Equality Bill, 2019***

India has a robust Constitution and several anti-discrimination statutes that guarantee equality and prohibit discrimination on various grounds. However, these laws are fragmented and inadequate, protect only specific identities, do not address discrimination on multiple grounds, do not apply to the private sector and are not uniform in terms of remedies. There is no comprehensive equality legislation that addresses these concerns. CLPR, therefore, drafted the *Equality Bill, 2019* as an over-arching legislation to prohibit discrimination on the basis of various characteristics and obligations to promote equality. (Aadhirai S, Deekshitha Ganesan, & Jayna Kothari, 2019)

#### **GAPS IN EXISTING STATUTES**

Our work began with a study on intersectional discrimination and research on the implementation of equality and anti-discrimination legislations in India. Anti-discrimination legislations in India generally recognise only single axis-discrimination and not discrimination based on multiple identities. Only the *Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (PoA Act)* criminalises discrimination based on both caste and gender. Further, most identity-based legislations in India are primarily penal statutes. *The Rights of Persons with Disabilities Act, 2016* is one example of legislation that provides for welfare measures but even this law places positive duties and obligations mainly on public authorities and not on the private sector. Hence there are serious gaps in existing statutes.

#### **PREVIOUS ATTEMPTS AT DRAFTING EQUALITY LEGISLATIONS**

Previous efforts at drafting equality laws in India attempted to bridge some of these gaps. The Sachar Commission recommended an institutional framework to promote equality and a 'diversity index' and *The Equal Opportunities Commission Bill, 2008* built on the former. *The Equal Opportunities (Affirmative Action for Scheduled Castes and Scheduled Tribes) Bill, 2003* and *Promotion of Equal Opportunity and Prohibition of Discrimination Against the Scheduled Castes and Scheduled Tribes in Matters of Employment (In Services, Trade, Business, Commerce, Contract, Construction, Transport or Other Utility Services in Private Sector) Bill, 2004* were drafted to address caste discrimination in the private sector. The most recent effort at drafting a single equality law was *the Equality and Anti-Discrimination Bill, 2016* introduced as a private member bill by Shashi Tharoor, inspired by *the Equality Bill, 2016* drafted by Tarunabh Khaitan. However, none of these Bills addresses intersectional, structural and systematic discrimination or discrimination specifically in the area of education, employment, housing, health and public places.

## THE EQUALITY BILL 2019

CLPR's Equality Bill 2019 builds on these efforts and presents a new equality law model. It has examined other equality legislations the world over including *The UK Equality Act, 2010*, *The Promotion of Equality and Prevention of Unfair Discrimination Act, 2000* of South Africa and the *Victorian Equal Opportunity Act, 2010*, the United States *draft Equality Bill, 2019* and the United States *Justice for Victims of Lynching Act, 2018 among others*.

The bill is organised into six chapters – Definitions, Prohibited Conduct, Prohibition of Discrimination in Certain Areas, Duty to Promote Equality, Equality Courts, and the Equality Commission. The Bill guarantees equality for persons with protected characteristics of caste, race, ethnicity, descent, sex, sexual orientation, gender identity, tribe, nationality, disability, marital status, pregnancy, health (including HIV/AIDS status), occupation, political opinion and belief, linguistic identity, place of birth, age, migration, religion, refugee status, socio-economic status, occupation, food preference or any combination of these characteristics. It prohibits different forms of conduct such as direct and indirect discrimination, discrimination by association, intersectional discrimination, systemic/structural discrimination, hate speech, harassment, segregation and boycott, victimization and lynching. The Equality Bill, 2019 seeks to establish Equality Courts for complaints under the law and focuses on providing civil remedies except in the case of lynching, which is also defined as a criminal offence in light of the directions of the Supreme Court in *Tehseen Poonawalla vs. Union of India & Ors*. Finally, a significant part of the Bill imposes positive duties on the State and private persons to promote equality.

In all these ways, we believe that the Equality Bill 2019 makes an important contribution, will initiate debate and conversations on equality in the country, and, we hope, is seriously considered for introduction. (Aadhirai S, Deekshitha Ganesan, & Jayna Kothari, 2019)

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