
PROMOTING GENDER EQUALITY THROUGH EDUCATION AND LAWS IN INDIA

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Abstract: Even though the education system expanded rapidly in modern India, the gender gap in literacy remains conspicuous by its presence. The constitution of India confers on women, equal rights and opportunities in all fields. The government of India has endorsed the same through its plans, policies and programmes. Despite of all these, women in India have not been able to take full advantage of their rights and opportunities in practice for various reasons. Therefore in this paper an attempt has been made to highlight the policies, laws and programmes to promote gender equality through education in India.

Keywords: Women, Education, Gender Equality, Policies, Plans, laws and Programmes

Introduction: Women's development is regarded as an important approach to raise the levels of productivity and to break the vicious circle of poverty, for which better health and education forms important. These factors not only improves physical well being of the individuals directly, but also enhance their productivity and ability to contribute to the National Income. Besides, protests continue in India, weeks after the horrific gang-rape of a 23-year old university student on December 16th and her subsequent death two weeks later. But the awful details of this crime are not the main reason for the protests. Instead it is the deep and pervasive gender inequality in India of which this heinous act is a symbol. Girls and women are attacked every day and Indians across the country, particularly young people, are sick of it. Enough is enough they say. There are real reasons why India doesn't want to be girls, and it's time to change. If there is any silver lining to this tragedy, it is that the issue of gender equality is on everyone's lips. Urvashi Sahni, an alumna of our girl's education Global Scholars Program, is tracking this issue from India and writes that for one of the first times the debate on gender equality is "engaging voices from all sectors of society including students, civil society, academia, political parties, the police, the judiciary and the government." Now the question remains: what will India do to improve the status of girls and women?

Much of the public discussion focuses on short and long-term solutions such as reforming the law enforcement systems, updating the legal code, supporting the women's movement, developing new systems of accountability and, of course, having "greater dialogue about India's patriarchal norms." All of these things are important but it is the last that is perhaps the most difficult for policymakers and bureaucrats to tackle. Even if it is the most difficult, upending gender norms is perhaps the most fundamental thing needed for long-term sustainable change. Without transforming, in the deepest sense, how girls and women are valued in India, important interventions around such things as legal reforms and police training will end up in the problematic category of "necessary but not sufficient" for developing gender equality in society.

If done right, education can play an important role in

redefining gender norms in India. Around the world, there have been numerous excellent examples of education changing people's way of viewing the world and leading to new forms of behavior, ways of relating with others and ultimately social norms. Indeed, there have been decades of academic research on this topic, so much so that entire subfields of education theory and practice have developed. India itself has good examples of education changing social norms towards gender equality. An interesting case of girls' education programs run in the province of Uttar Pradesh demonstrates that schooling, if done right, can help change gender norms, even in the most marginalized societies. Founded by Urvashi Sahni, the Study Hall Foundation has demonstrated that at the same or lower cost per student as the government schools, their schools can educate girls in a way that enables them to both excel academically, but more importantly emerge as empowered young women. In one of their schools, Prerna, girls outperform their peers both within the province and across India. Ninety percent of Prerna girls complete their education to year 10, compared to below 30 percent nationally, and they do so while outperforming in virtually all subjects (in math and science the Prerna girls perform about 20 percentage points higher on exams than the national average). But most importantly, these girls are changing the gender norms in their communities. They are beginning to fight back when they or their peers are planned to be married off at too early an age. Through street protests and cajoling discussions, they have convinced their parents to keep them in school instead. They initiate community-wide discussions on violence against women. They apply for higher education scholarships and convince their families to let them go once they receive them (an incredibly 88 percent of the girls go on to higher education).

The success of this program is not because the students come from well-to-do families, (the average family income of students is \$108 and 60 percent of their mothers and 40 percent of their fathers have never been to school). It is also not because teachers have higher qualifications or are better paid than government teachers. Rather, according to Mrs. Sahni, it's because every day the girls' talk about their worth, value and the

issues they face around gender equality. "Gender equality needs to be taught, like math, science, and any other subject" says Sahni, who describes how in Prerna gender equality classes are regularly taught alongside a government curriculum. Then, she is quick to point out, teachers need to be encouraged and supported to fulfill their role as social change agents.

Now this is an idea that the Indian government would do well to listen to. It may be a center piece for transforming India's "patriarchal norms".

A quick and effective change in the status of women was contemplated through social legislations. The Constitution of India guarantees certain fundamental rights and freedom such as protection of life and personal liberty. Indian women are the beneficiaries of these rights in the same manner as the Indian men. Article 14 ensures equality before law and Article 15 prohibits any discrimination. Article 16(a) forbids discrimination in any respect of employment of office under the state on the grounds only of religion caste, sex, descent, and place of birth, residence or any of them.

In the post-independent India we had series of laws passed for the upliftment of women. These legislations have been brought in order to give equal rights and privileges with men, to eliminate discriminations against women, remove inequality between sexes, and remove external barriers coming in the way of their self-realisation and development. The important Acts passed for the upliftment of women are:

1. The Hindu Marriage Act of 1955:

This Act provided equal rights to women to obtain divorce and also maintenance in certain cases.

2. The Hindu Adoption and Maintenance Act of 1956:

By virtue of this Act a woman can adopt a boy or a girl as her son or daughter.

3. The Hindu Minority and Guardianship Act of 1956:

This Act provides that a woman is entitled to act as the natural guardian of her minor children.

4. The Hindu Succession Act of 1956:

As a result of this Act, woman has got equal rights in the inheritance of family property. This Act is a landmark in the history of Hindu law.

5. The Hindu Women Right to Property Act of 1973:

This Act has given more facilities to women. According to this Act, the daughter, the widow, and the mother can inherit property of the deceased simultaneously. Now women will hold her property absolutely with full right to sell, mortgage, and dispose of as she desires. But according to the Hindu Succession Act, 1956, woman has only to enjoy her husband's share in coparcenaries property for her life time without any right to alienate property.

6. The Dowry Prohibition Act of 1961:

According to this Act, taking or demanding dowry is an offence punishable by imprisonment and or fines.

7. The Equal Remuneration Act of 1976:

This Act does not permit wage discrimination between

male and female workers.

Besides legislations, education is regarded as an important factor in raising the status of women in society. Therefore, active steps were taken to promote women's education. Immediately after independence it was realised that unless half of our population are exposed to educational process, modernisation of our society would be a distant dream. Various Committees and Commissions emphasised the need for equalisation of educational opportunities.

This led to opening of different schools and colleges, especially for women. However, the absence of any economic compulsion was in fact one of the main reasons for the slow progress of women education till nineties. There is a gradual change among the women that in order to make a decent living and to assert their rights and privileges and to become economically independent, they must acquire proper skill through education. Hence, there has been a constant rise of women ratio in the field of higher education.

There has been a remarkable increase in the number of women becoming workers in both cities and villages, according to the recent report. Job opportunities outside the family, economic hardship and social situation have encouraged women to take up employment outside the family. The attitudes of women's relatives towards women's employment, women's own preference for employment are now quite different from earlier beliefs. People are now in favour of women employment.

Today, the centre of production is located outside the family, economic conditions demand participation of women with men in the production process. This has enhanced the status of women in the family as well as the society.

According to the report of the Committee on the Status of Women in India, the number of female employees in the categories of professional, technical and related workers, primary and middle school teachers has been continuously rising since 2000. The Director General of Employment and Training data for selected professions in public and private sectors identify Banking, software, teaching, medical and health, telecommunications, clerical and related workers and telephone operators as the main occupations.

Strategies adopted by the Government for increasing female literacy in the country:

1. National Literacy Mission for imparting Functional Literacy
2. Universalisation of Elementary Education-UEE
3. Non-Formal Education
4. Vocational Training
5. Removal of Regional and Gender disparities
6. Equalization of Educational Opportunities for women

Recommendations for Promoting Gender Equality:

There are six key policies or actions that have potential to propel progress:

1. Remove key barriers to girls' education, including by

providing scholarships, cash transfers and eliminating user fees; tracking completion and attendance rates; improving the quality of education, including tackling violence against girls in school; and scaling up investments in girls' enrolment in secondary school.

2. Make the generation of full and productive employment and the creation of decent work and income the primary goal of macroeconomic, social and development policies, including by promoting equal skills development and employment opportunities; reducing wage gaps between women and men; introducing social protection measures and labour laws and policies that are gender-responsive; and introducing and enforcing legal protections for the most vulnerable women workers.

3. Improve national level capacity to track and report on progress, gaps and opportunities through better

generation and use of sex-disaggregated data and statistics, including on time use.

4. Reduce women's work burden through investments in infrastructure, labour saving technologies and gender-responsive economic stimulus packages.

5. Strengthen accountability for enhancing women's rights and ending gender discrimination, including through eliminating inequalities in access to land and property and by investing in implementation of laws, policies and programmes to prevent and address violence against women.

6. Scale up and account for investments in gender equality, including by institutionalizing Gender Responsive Budgeting to ensure that financial commitments are commensurate with policy commitments to gender equality.

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