



# Gender Equality – Rights of Everyone.

**Kamakshi Ganeshkumar**

Student

Shree L. R. Tiwari College of Law

Mira Road, Maharashtra

## Abstract

Education is the right that everyone should get irrespective of a person's gender. Numerous studies have shown that even today in the 21st century many girls are not able to attain their basic education. Education is the basic and the foremost thing needed for an individual to change his perspective and mindset towards the society. Providing a quality education not only leads to improved enrolment, but also helps to ensure that boys and girls are able to fully realize the benefits of education. Gender inequality is not only about giving rights to women but also respecting them. The recently launched National Educational Policy 2020 (NEP) has provided Gender Inclusion Fund (GIF) for providing quality education to girl child. The policy further adds that it will address the barriers being faced by transgenders. Therefore, we should not only think about the two genders only, i.e., male, and female but also about the transgender community. This paper talks about the framework that is designed to address the above-mentioned inequalities along with the issues based on gender inequality. Moreover, this paper presents the framework for topics that are hindering the overall growth and development of human kind.

**Keywords-** Gender, Gender inequality, Constitution of India, National Educational Policy 2020, Educational Policies.

## Introduction

Gender is a psycho-social phenomena; it is a product of mind and society. Gender is not decided by a body autonomy rather it is a social construct that has been imposed upon one's psyche and one is forced to do gender roles assigned to one's gender. These particular imposed roles and importance attached to them sometimes become the reason behind gender inequality. Gender equality is not about comparing two genders together and judging which one of them is stronger. The broader sense of Gender equality is giving rights, giving freedom, respect, equal opportunity for overall participation of the societal welfare. The menace of this inequality is not

restricted to one geographical region only but the significant and sustained inequalities is spreading wide its reach between men and women across the globe also. This issue of gender inequality is rapidly increasing in every field and at every level. The Gender inequality has become a political and debatable topic, but rather than arguing and opposing we need to accept and work together in order to achieve equality not for two genders only but for all human kind. Moreover, gender equality is a requirement for sustainable development of a civilization. When we talk about gender equality it is not only about two genders, i.e., male, and female only but also of the third gender that exists in society. The constitution of India has not only provided Article 14<sup>1</sup>, stating Right to Equality, but also Article 15 stating Prohibition of discrimination. Most importantly, Article 21(A) states compulsory education for all children in the age group of six to fourteen year.

#### Side effects of gender inequality-

There are many side effects on gender inequality and the core reasons behind it. One of the fatal effects of gender inequality is deterioration of the mental health. According to National Library of Medicine<sup>2</sup>, Depressive disorders account for close to 41.9% of the disability from neuropsychiatric disorder in women compared to 29.3% among men. Gender discrimination foremost directly affects one's mindset and perspective. People start doubting their calibre and this leads to overthinking. As brain starts developing thoughts and habits since the age of 5<sup>3</sup> and if a child is not allowed or observes several discriminating actions then even, they start behaving differently. This further encourages male dominance in society and female suffers from domestic violence, child marriage, sexual abuse, exploitation, and poor education and health. On the other hand, this also affects negatively on a country's economic growth. As a country's national income is depended, on each individual and if females are restricted it causes a low value of time which means the value of population is low and the entire burden is on the rest of the population or we can even say on male population. This is one of the causes of low per capita income. Moreover, it is not always that only females are the victim of gender inequality but even males are the victims of gender inequality. As already mentioned in the beginning that gender equality is the right that every individual should attain. Hence, this means that even men have the equal rights to attain equality. According to National Library of Medicine<sup>4</sup>, in the present study, 52.4% of men experienced gender-based violence. The most common spousal

<sup>1</sup> "Constitution of India | Article 14"

"Constitution of India | Article 15"

"Constitution of India | Article 21 A"

<https://www.mea.gov.in/Images/pdf1/Part3.pdf>

<sup>2</sup> "Malhotra, S., & Shah, R. (2015, July 1). *Women and mental health in India: An overview*. *Indian Journal of Psychiatry*; Medknow."

<https://doi.org/10.4103/0019-5545.161479>

<sup>3</sup> "First Things First. (2023, January 13). *Brain Development - First Things First.*"

<https://www.firstthingsfirst.org/early-childhood-matters/brain-development/>

<sup>4</sup> Malik, J. S., & Nadda, A. (2019). *A Cross-sectional Study of Gender-Based Violence against Men in the Rural Area of Haryana, India*. *Indian Journal of Community Medicine*, 44(1), 35–38.

[https://doi.org/10.4103/ijcm.ijcm\\_222\\_18](https://doi.org/10.4103/ijcm.ijcm_222_18)

violence was emotional 51.6 % followed by physical Violence 6%. Besides women, men are also victims of gender-based violence. While working on this research paper the researcher found that there were many different views of people on gender inequality. In the survey done by the researcher questions were included like whether a person notice gender inequality in their daily life and where do they notice it? Moreover, how can we eradicate gender inequality? The most common answers were at homes, workplaces, public transportation, and rural areas. Respondents observed gender inequality at home as it were the women of the house who first served the food to males and then at last women eats food. We can see this in common practice in many households. People find it as a normal gesture of respecting males of the house but they don't find this act disrespecting females. Another respondent found that female drivers are less as compared to the male ones and the reason provided was that that was not because females were not capable of driving but the level of security of our society and the mindset of people shows why there was inequality in the driving field. People think that females are incapable of active thinking and decision making that is a prerequisite for driving. One can see this while driving, as the first impression people get on watching a female driving her vehicle is that she does not have a driving sense, however, it is even scientifically proved that a female brain works in multi-dimensional ways as compared to males. But it is those egoistic persons who are not capable enough to accept the truth and try to degrade women in every possible way. There were a few responses that the researcher came across that even males experience gender inequality; when they want to do any profession that is generally considered as a female's role, e.g., profession of cooking, they spontaneously hear the taunts that that is the field of females, or when they want to perform the profession of professional fashion designer or hair stylists, or of makeup artists they have to face the sarcasm of society. Out of 132<sup>5</sup> responses 68.2% people felt that gender inequality is still the main cause of backwardness and gender inequality is for all the genders. Moreover, education must be gender neutral, e.g., providing housekeeping education to all irrespective of their gender Must be gender sensitization, i.e., including sex education, considering all equal, including texts having important personalities related to all three genders. Almost 53% of respondent felt that education should be given the importance at priority.

What is the correct approach towards attaining gender equality?

When it comes to gender equality it is really very important to keep in mind the correct and just (fair) approach for attaining it. It is not only about females or males but also but the other communities such as LGBTQ community. Recently in 2019<sup>6</sup> the Transgender Persons (Protection of Rights) Act recognizes their right to self-perceived gender identity along with identification as male or female can be issue once a certification process is completed and they are provided with it. Apart from the modern era since the ancient times transgender exists and if they have been given a place in our ancient history then why not today. Moreover, living in the 21st century

<sup>5</sup> *Gender Equality* (n.d.). Google Docs. <https://docs.google.com/forms/d/1xsHpEidYeCNALyP4-jYXkzjyeYNYFg8yO48M5FizvTk/edit#responses>

<sup>6</sup> *Transgender persons (protection of rights) act 2019*  
[https://en.wikipedia.org/wiki/LGBT\\_rights\\_in\\_India](https://en.wikipedia.org/wiki/LGBT_rights_in_India)

it is very important to give the right of equality to every living being, which can be attained only through quality education. Tarakanta Mohapatra, is the first transgender IAS officer in India. Joyita Mondal is the India's first transgender judge. Padma Lakshmi is India's first transgender lawyer. All of them are the example of how education plays an important role not only for the sake of knowledge but also for the overall development; and how not even a single person should be deprived of his rights and most importantly the right to life and personal liberty, which is provided by the constitution of India in its article 21<sup>7</sup>. Hence, it is very well said by Malala Yousafzai, "one child, one teacher, one book and one pen can change the world"<sup>8</sup>. Achieving equality is the basic and natural rights for all the human and constitutes one of the human rights too. As the hindu texts mentions the term "Vasudhaiva Kutumbakam"<sup>9</sup> which means the world is one family and all living beings on the earth are a family, hence on an equal level without any discrimination. Further it mentions a stanza saying,

"One is a relative, the other stranger,

Say the small minded.

The entire world is a family, live the magnanimous.

Be detached, be magnanimous,

Lift your mind, enjoy

The fruit of Brahmanic freedom."

It means that it is the narrow and the orthodox minded people, who brings the discrimination between people but we are should keep in mind that everyone of us is a family. So, we should detached such negative thoughts from our mind and think positively so that we are enlightened.

Role of Education in bringing gender equality and steps taken by the Government of India-

The recently launched NEP<sup>10</sup>- National Education policy 2020 is based on four pillars which are Access, Equity, Quality, and Accountability. The main aim of this policy is ensuring universal access at all levels of school educations. This policy has considered the concerns of the Socio-Economically Disadvantaged Groups (SEDGs) which includes females and transgender individuals, Schedule Castes, Schedule Tribes, OBCs, minorities and

<sup>7</sup> "Constitution of India\ Article 21"

<https://www.mea.gov.in/Images/pdf1/Part3.pdf>

<sup>8</sup> quote by Malala yousafzai

<https://greenheart.org/greenheart-international/malala-yousafzai-one-girl-can-change-the-world/3131/>

<sup>9</sup> vasudhaiva kutumbakam

[https://en.wikipedia.org/wiki/Vasudhaiva\\_Kutumbakam](https://en.wikipedia.org/wiki/Vasudhaiva_Kutumbakam)

<sup>10</sup> National Education Policy 2020

[https://www.education.gov.in/sites/upload\\_files/mhrd/files/NEP\\_Final\\_English\\_0.pdf](https://www.education.gov.in/sites/upload_files/mhrd/files/NEP_Final_English_0.pdf)



other categories. It could rightly be said that this policy aims at bridging the social category gaps in access, participation, and learning outcomes. Moreover, NEP 2020 also identifies transgender children as SEDGEs and provide for equitable quality education. Apart from NEP, there are many other educational policies launched by the Government. Such as The Right to Education <sup>11</sup>(RTE) Act, 2009 states that every child between age of 3 and 14 has the right to free and compulsory education. This Act further instructs all private schools to reserve 25% of their seats for students from economically weaker section. Another policy is The Sarva Shiksha Abhiyan (SSA) is a national program launched in 2001, to provide universal access to education for all children, particularly girls and children from disadvantaged background.

## Conclusion

The act of pursuing Knowledge (Gyan), Wisdom (Pragyaata), and Truth (Satya) is always considered as the highest human goal. It could rightly be concluded that gender equality is the right of every individual irrespective of their race, caste, sex and birth place. Gender inequality can only be eradicated with the help of quality education. A school or any educational institute is a place where children come with a pure mind and soul; their thoughts are raw that could be moulded accordingly. Education becomes a mean to instil positive thoughts and analytical thinking. Moreover, as education changes the perspective of a person, it helps in the overall growth of that person also. It is well said by Nelson Mandela<sup>12</sup>, “Education is the most Powerful Weapon which you can use to Change the World.”

## Reference

1) Malik, J. S., & Nadda, A. (2019). A Cross-sectional Study of Gender-Based Violence against Men in the Rural Area of Haryana, India. *Indian Journal of Community Medicine*, 44(1), 35–38.

[https://doi.org/10.4103/ijcm.ijcm\\_222\\_18](https://doi.org/10.4103/ijcm.ijcm_222_18)

2) GENDER EQUALITY. (n.d.). Google Docs. <https://docs.google.com/forms/d/1xsHpEidYeCNALyP4-jYXkzjyeYNYFg8yO48M5FizvTk/edit#responses>

4) National Education Policy 2020

[https://www.education.gov.in/sites/upload\\_files/mhrd/files/NEP\\_Final\\_English\\_0.pdf](https://www.education.gov.in/sites/upload_files/mhrd/files/NEP_Final_English_0.pdf)

<sup>11</sup> *Implementation of New Education Policy In India: An Insight*. (2022, December 21). Times of India Blog. <https://timesofindia.indiatimes.com/readersblog/educational-blog/implementation-of-new-education-policy-in-india-an-insight-48262/>

<sup>12</sup> Nelson Mandela quote on education “Education is the most Powerful Weapon which you can use to Change the World.” <https://artsculturesa.wordpress.com/2014/06/05/the-10-most-powerful-nelson-mandela-quotes/>