



Crushing Patriarchy

Seona Diago D'mello

Thakur Ramnarayan College of Law

Abstract:

For centuries, the pseudo-equal relationship between men and women has been continued through past traditions and orthodox society, women have as well experienced excessive coercive power, authority and dominance over them. The great Mary Wollstonecraft set out to war against patriarchy, she portrayed women as bold and having a rebellious spirit and not as weak and fragile victims of Patriarchy.

In patriarchal societies, women are excluded from all the social, political, economic as well as cultural spheres and women often find themselves suppressed by the male-dominant circle. societal and cultural norms are oppressing the light that a woman holds. Where men and women are talked about and given equal opportunities and still, women find themselves in lesser positions than men, and are mortified due to receiving a better pose and having higher pay than men.

This article talks about the woman of the new era and the battles that she is capable of fighting and building her own persona backed up by the legal tempers.

Keywords: Patriarchy, Gender equality, Gender, Discrimination, Oppression, Social norms, Child marriage, Rural India, Feminism.

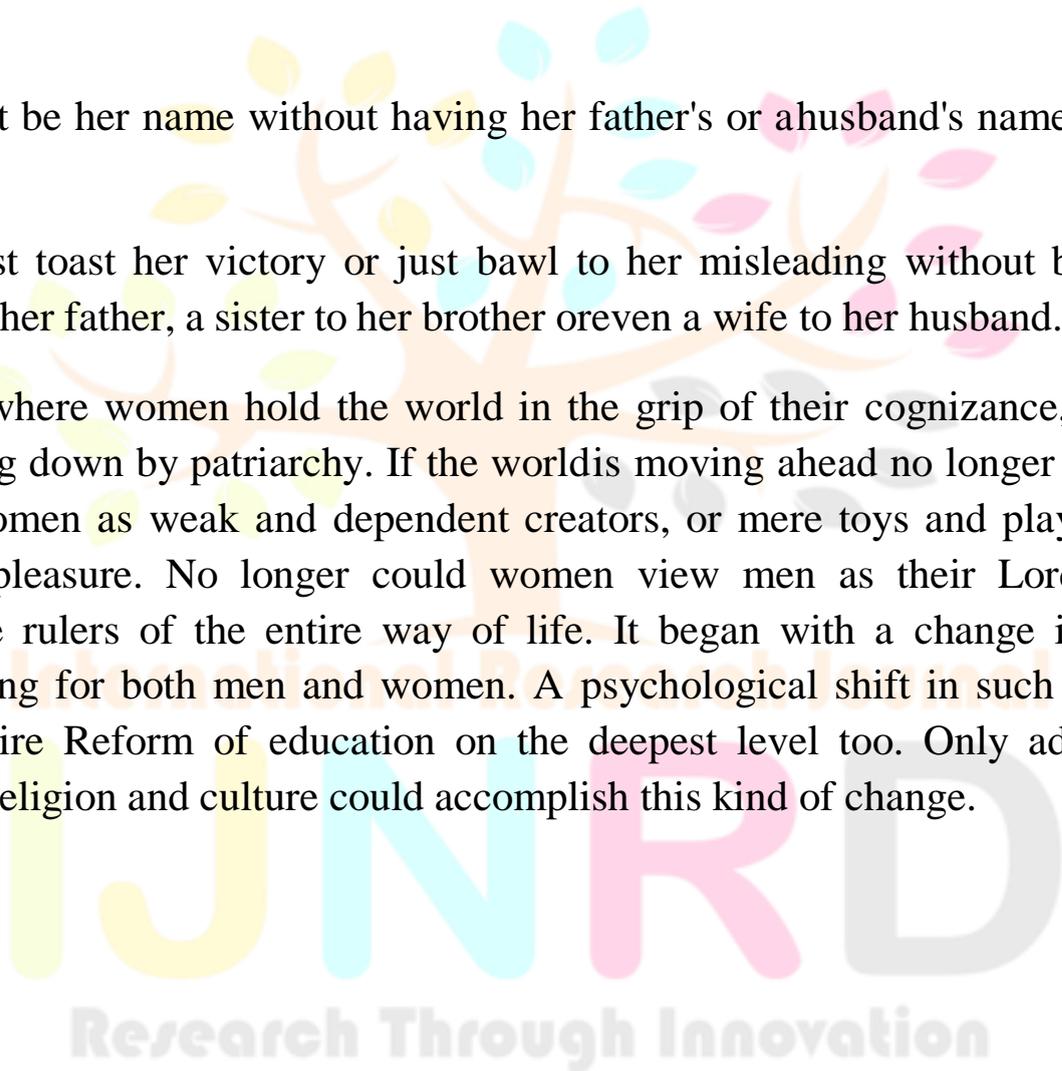
" The educated woman with power over herself, can bring down the patriarchy for the better betterment of all humanity" says Eileen Hunt Botting.

When a woman is contemplated to master the art of homemaking why does she even entail a man? The women of the new era are in the making, they are independent, heroic, self-made and everything a 10-year-old girl in need of self-esteem would look upon. Don't look up to the woman as she is frail, she is more fearless than anybody can ever dare, She does not need a man to survive her nightmares, she needs a man just like another human relation and that's not rare.

She can just be her name without having her father's or a husband's name in the mesial.

She can just toast her victory or just bawl to her misleading without being a daughter to her father, a sister to her brother or even a wife to her husband.

In the era where women hold the world in the grip of their cognizance, she is still crashing down by patriarchy. If the world is moving ahead no longer should men see women as weak and dependent creators, or mere toys and playthings for sexual pleasure. No longer could women view men as their Lords and Masters the rulers of the entire way of life. It began with a change in self-understanding for both men and women. A psychological shift in such depths would require Reform of education on the deepest level too. Only adequate education, religion and culture could accomplish this kind of change.



When women and men together exercised their duties for respect of self and others they would be psychologically and socially capable of respecting and recognising one another's rights in law and culture.

The great Mary Wollstonecraft also struggled for the same; she declared war against the patriarchy. After the French Revolution she wanted something more she wanted the patriarchy to lose. Wollstonecraft was a Governor, primary school teacher and a disciple of the Dissenting Christian minister and abolitionist, Richard Price. She brought education and religion together to advance a cultural revolution that would make women stand up and speak out, alongside men as moral equals deserving of the same Civil and political rights and bound by the same god given duty. Her core thesis was: " I do not wish women to have power over men; but over themselves".

Women will learn to say "NO" to things that she dislikes, she'll share the housework, problems and property equally, She will respect men but won't tolerate their wrong impositions on her, She'll talk about "periods", sex and sexuality openly, She'll be more of the bold types than the shy ones, she'll be the new trendsetter, she will be more of a feminist and not a sexist—the new generation of women in a real true sense.

As law holds our land, and is held "Supreme", the landmark judgement, Mary Roy VS State of Kerala still holds its significance. Mary Roy was a human rights activist and an educator. Ms Mary Roy was a widow and she claimed her equal rights under Article 14 of the Constitution for her father's cottage when she was harassed for the same by her brother.

She then sued her brother, George Issac in the lower court but the lower court denied her equal right to possession and hence,

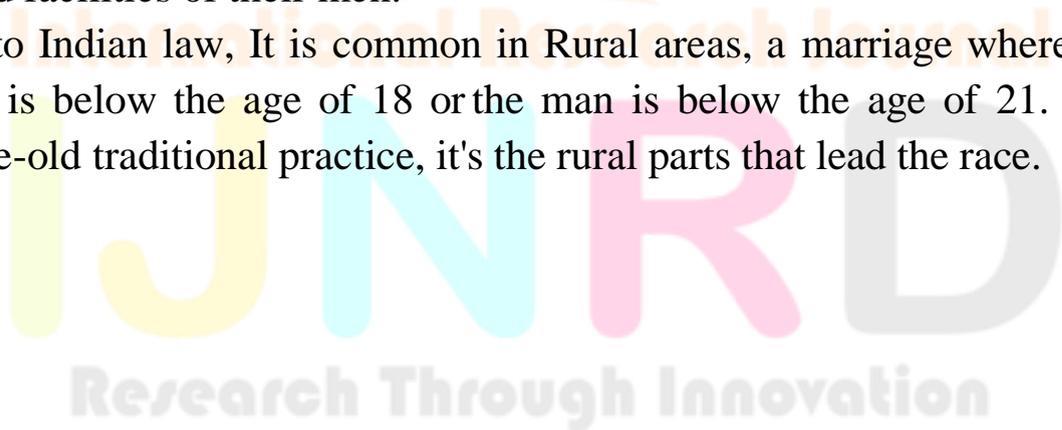
she moved her appeal with the judgement of the lower court to the High Court of Kerala and claimed the violation of her Constitutional right to equality.

The court demonstrated that the law is supreme and the judgement was ruled in Ms Roy's favour as she stood by her right and fought for it for eighteen years. The Indian Constitution preserved Ms Mary's fundamental rights as she triumphed.

The main aspect of the system of patriarchy as an ideology is to create consent among women. Under this, women help to maintain the patriarchy, because through socialization she herself assimilates male domination and gives her consent to it. This consent of theirs is achieved in a number of ways – such as their lack of access to productive resources and their economic dependence on the head of the family. In this way, through different methods, women are made to get their consent in patriarchy. On this basis, it becomes necessary to understand that patriarchy is not just an ideological system but also has a physical basis.

Patriarchy deprives women of the means of power and domination, their consent is easily achieved and when women start living life on the behest of patriarchy, they start getting class facilities and are also awarded honor and respect, on the other hand, women who do not give their co-operation or consent to the laws and practices of patriarchy, they are labeled as evil and evicted from the property and facilities of their men.

According to Indian law, It is common in Rural areas, a marriage where either the woman is below the age of 18 or the man is below the age of 21. Again, being an age-old traditional practice, it's the rural parts that lead the race.



These rates were 3 times higher than the urban rates. In Mewat, a remote town in Rajasthan which lags behind in all socioeconomic factors, the percentage of married women who wed before they are 18 years of age is 16.9%. A big determinant of the age of marriage is education. Around 45% of women with no education and 40% with primary education married before the age of 18. However, different sources show a stark difference in the statistics, and allegedly, there is massive underreporting in India. People often resort to lies when it comes to telling the ages of their family members to avoid any legal ramifications.

Poverty coupled with the practice of dowry are the direct cause of the problem. And evidently, it all spirals back to patriarchy, as women are considered just a burden. People want to get rid of them, as they believe they will reap them nothing. They are scraped off their right to education, which is a big factor itself.

In all regions of the world, women are more likely to head single-parent families than men are. Time-diary studies in the USA indicate that even when fathers are single parents, they continue to do less childcare and work more hours than single mothers because single fathers more often share their residence with family members or other adults who can share domestic responsibilities.

There are more ways for women to be indispensable than just bearing children or managing the household. She can have the world in her eyes and the sway in her arms, her dreams have the height of an eagle and her strength is well commendable to achieve her aspiration, and this is my faith that every flower enjoys the air it breathes till its lungs are full with content and so women should have all her rights and her freedom to breathe in the courage that she is living in. And the life that she is improvising for her daughter, sister, and every woman who wants herself to be the only dominant one in her life.

What's in a name? That which we call a rose by any other name would smell as sweet, but her name holds her liberty, her existence, her persona, all her life and beyond. Article 15 of the constitution prohibits the state from discriminating against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them. Which hopefully helps in crushing down patriarchy to the core in the coming years. We need to normalize that women can be breadwinners and men can be householders, women can take dominant decisions in the family and they can challenge gender roles while respecting all expressions of gender.

Speaking legally section 497 of the IPC stated that it is punishable for a man to have sexual intercourse with a married woman without the consent of her husband. To mention precisely the consent of her husband while having intercourse with her, makes her seem like a marionette in the hands of her husband, herself having no liberty.

Let women take the lead and see what she beholds, the kingdom will always see glory when the queen makes her way out of the heavyweights of gender opinions on her, down with the patriarchy she'll come and the toxic masculinity over everything, she'll have blistered feet but will still hold the pride of a queen.

An American study shows that fathers are more relieved than mothers because mothers do the most household and childcare compared to most fathers. She also shoulders the mental load of family management, being three times more likely to handle and schedule their activities, appointments, holidays and gatherings, organise the family finances and take care of home maintenance. Male supremacy, for all its ubiquity, is surprisingly recent. There's compelling evidence that patriarchal societies date back less than 10,000 years. Humans probably evolved as an egalitarian species and remained that way for hundreds of thousands of years. One clue is in the similar size of human males and females, which show the most minor disparity of all the apes, indicating that male dominance is not the driving force in our species. Equality between the sexes in our early ancestors would have been evolutionarily beneficial. Parents who were invested in both girls and boys (and the grandchildren from both) gave our ancestors a survival advantage because this fostered the critical wider-ranging social networks they depended on to exchange resources, genes and cultural knowledge.

“Dress like a girl, dress like a man. Show me the book of this scam! Be it, forever damned, burn it to the ashes, And then break free, as the patriarchy crushes.”

Reference:

- Bringing Down the Patriarchy: <https://aeon.co/users/eileen-hunt-botting>
- <https://www.theguardian.com/books/2019/nov/02/smashing-the-patriarchy-why-theres-nothing-natural-about-male-supremacy>.
- ILO. (2018), “Care work and care jobs for the future of decent work,” Geneva, available at: www.ilo.org/global/publications/books/WCMS-633135/lang-en/index.html

- Feminism in the evolution of patriarchy and the nature of patriarchy in India- Dr. Rakesh Mohan Nautiyal and Dr. Deepti Bagwari
- Alexander, S. (2020, February 12). The persistence of child marriages in India. Livemint. <https://www.livemint.com/news/india/the-persistence-of-child-marriages-in-india-11581528005025.html>
- Patriarchy and Gender Disparities in Rural India: Poorvi Sharma and Sarthak Agarwal

