



Gender Socialization and Reproduction of Gender Inequality in India

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ABSTRACT

¹Gender is a socially constructed concept that creates differentiation between women and men in different areas such as work, roles, responsibilities, etc. There is no clear-cut definition of the term 'Gender'. Ann Oakley, who was among the first few feminist scholars to use this concept, says, 'Gender is a matter of culture, and it refers to the social classification of men and women into 'masculine and 'feminine. And Gender socialization refers to how society ensures that children learn the appropriate behaviors associated with their beings' males or females. It also sets children into different courses in life because they are male or female. Society thus channelizes human behaviour through gender socialization.

Moreover, through gender socialization, gender discrimination has been prevailing in our country from the early days. There are various aspects of gender exclusion, and we can discuss these aspects in four areas. These areas are– Family, Society, politics, and Economics. So, through this paper, an attempt has been made to discuss the process of gender socialization, which helps in gender discrimination in our society. There is a clear difference between the terms sex and gender. Sex is biological, is constant, and cannot be changed, while gender is a socio-cultural term that refers to different masculine and feminine qualities and is variable.

Keywords: Gender, Society, Behavior, Inequality,

I. INTRODUCTION

Inequality is a deep rooted concept in our society. We can find one or the other form of inequality everywhere around us. It can be economic, social, political, or gender inequality. This research paper will explain various processes and rigid structures working in a society that leads to gender inequality somewhere or somewhere. In laymen's

language, gender inequality is a social phenomenon where all three genders, male, female, and Transgender, are not treated equally. This inequality can be seen in various aspects such as education, workplace, traditions, government organs, etc. The basic origin of inequality is our home and immediate surroundings. Gender and sex are often the same, but these are two very distinct concepts. Gender is usually defined as a social construction relating to behaviours and attributes based on the labels of masculinity and femininity.² Genders are fluid whereas, sex is assigned by birth, and it is a usually physical and biological feature of an individual determined by anatomy. Gender inequality is socially constructed, and it has various causes such as lack of employment opportunities, uneven access to education, lack of legal protection, lack of representation, the rigid mindset of the society, poverty, unequal distribution of resources, etc. This inequality results in various hazardous aspects such as exposure to violence, discrimination, psychological disorders, poverty, increased suicidal thoughts, child marriages, fragmentation, indulging in crimes and deviant behaviour, etc.

THEORIES ON GENDER ORIGIN AND SOCIALIZATION

I. KOHLBERG'S COGNITIVE THEORY

The concept of gender is deep-rooted in our society. However, when we try to think about the concept in detail, the first question that arises in our mind is how this concept is formed within the life of a human being? Well, different theories have given the framework for forming this concept in the life of human beings. Lawrence Kohlberg was a psychologist of the U.S. famous for his theories. Two of them include: - Theory of moral development and Kohlberg's cognitive theory. Here we will be talking

¹ Haloi, N., 2021. [online] Oaji.net. Available at: <<http://oaji.net/articles/2016/1707-1457181924.pdf>>.

² Vineet John Samuel, 'What Is Inequality?' (*oxfamindia*, 2019) <<https://www.oxfamindia.org/blog/what-inequality>> accessed October 22 2021.



about his cognitive theory. Kohlberg's cognitive theory is one such theory that talks about the stages of formation of Gender in children. This theory tells us that how children's approach to gender develops over time about their own experiences and through exploring the world. Kohlberg said that child's development over the concept of gender develops over time. This happens in three stages mainly: -

1. Gender Labelling (2 to 3 years)
2. Gender Stability and (3 to 5 years)
3. Gender Consistency (6 to 7 years)

1) Gender Labelling: This stage carries children 2 to 3 years of age. This stage is called the gender identity stage. In this stage, the child can label one's gender and other's gender. The labelling of gender is particularly based on a set of external features. These features include clothes, hairstyle, etc. Here the child is unable to understand that gender is constant and fixed. However, if the external features change, the labels also tend to vary or change. For example: - boys playing with a doll would be regarded as girls, and the girls carrying stubby hair would be regarded as boys.

2) Gender Stability: - In this stage, the child is 3 to 5 years of age. This is the stage where the child finally realizes that his/her gender is fixed and constant over time but does not realize that the same concept applies to others also. For example: - if one's father dresses up as a woman or girl, he would be regarded as a Girl. Here the children still firmly believe in the external or physical features.

3) Gender Consistency: - This is the third stage of the formation, and it carries the formative years of a child from 6 to 7 years of age. Here the child can comprehend that gender is stable and constant over time. He/she also understands that the same concept goes for others, too, meaning that others' gender is fixed and firm. For example: - A woman working in men's clothes or doing a masculine job would also be regarded as a woman only, and a boy playing with dolls will also be referred to as a male-only. In this stage, a child learns gender-appropriate behaviour. They start looking for gender-oriented role models to relate, imitate, and follow easily.

There are various studies done by others that prove Kohlberg's theory to be true and real, some of them include: -

- I. An experiment done by Thompson supports the stage of gender labelling. In this experiment, around 76 per cent of 2 years of children were able to

identify gender correctly, and 90 per cent of 3 years children were able to identify the gender correctly. This shows their increased ability to label themselves correctly.

- II. Slaby did another experiment, and Frey has supported the stage of gender stability. In this experiment, young children were asked that "when you will grow up what will you become, Mom or Dad?" The answer by children proved that they do not understand these concepts until they grew up till the age of 3 or so on. Kohlberg predicted the same thing.

III. One other experiment done by Slaby and Frey has proved propositions done by Kohlberg at the stage of Gender constancy. Here children were held in a room that had a split-screen image of men and women performing similar kinds of tasks. Here younger kids were observed seeing both the genders for equal time, and the elder ones were observed watching similar gender for more time, as they had a well understanding of gender-appropriate behaviour.

- IV. Global research done by Munroe in countries like Nepal and Kenya has proven that the stages given by Kohlberg are the same universally. There have been various criticisms on this theory, and they have been divided into two categories, and they are: -

a) Methodological issues: - It has been criticized that the theory was developed using an interview tool, and the young children do not have that much skill or capability to understand the question and answer them in a suitable format. They might have complex thoughts about this concept but cannot express them.

b) Reductionist: - reductionists have always criticized this theory by saying that it only centres around cognitive ideas and neglects the impacts of society on the child. They also say that Kohlberg has failed to explain the reasons for the increased resistance of children towards their opposite gender.

II. SOCIAL CONSTRUCTION THEORY

Social Constructionism, a theory of knowledge that dictates that characteristics typically thought to be immutable and solely biological such as - gender, race, class, ability, and sexuality – are products of human definitions and interpretations shaped by cultural and historical contexts.³. Social constructionism tries to outline the creation, changes, and reproduction of cultural concepts like - black, white, men, women, etc. It also tells regarding the

³ 'Social Constructionism' <<https://courses.lumenlearning.com/suny->

introwgss/chapter/social-constructionism/> accessed December 5 2021.



shift and evolution of these concepts over a while. There has been a shift, as the concepts originated in a different society and are being interpreted differently. The meaning of such concepts has changed completely. However, it is important to understand that these concepts are natural, thereby creating them by society. It is not true that there are no differences in body structure. There are differences but not natural creation of someone as superior. We make categories and assign them meanings. For example: - as per the one-drop rule, a person having even one African ancestor would also be regarded as black. This is not something created naturally but society-oriented. Differences are there, but they are not high or low themselves, are hampered by societal perceptions. These categories have shifting boundaries. Similarly, Gender inequality is created by society and is not natural.

III. THE SOCIAL CONSTRUCTION OF HETEROSEXUALITY

The word "heterosexual" in 1892 by Dr James Kiernan. The meaning of the term has changed over time. Initially, "heterosexuals" were regarded by Kiernan as interested in both sexes. They were involved in sexual activities, only for pleasure and not for reproduction. The definition of the term "heterosexual" was most prevalent among the middle-class of the U.S. till the beginning of the 19th century. Later, this term went through various stages of reformation and its meaning changed as per social perceptions. Later, a doctor wanted to define a distinct type of sexuality, so; he used the term "heterosexuality" in the context. As the contemporary meaning, the term represented something good and normal. Earlier, engaging in sexual activities for pleasure and not reproduction was considered good and normal. Today, engaging in sexual activities for reproduction and not for pleasure is regarded as normal. Today, the term has a completely different meaning than the ancient usage.

Hence, it can be said that when the term gender was coined, it might have carried a different meaning than today. Over the period, this concept also evolved, and one- or the-way Male or Men became superior to the other two genders.

IV. INTERPLANETARY THEORY OF GENDER DIFFERENCE

Michael S. Kimmel gives the interplanetary theory of gender differences in his book "The Gendered Society". He says that social perception says men and women are distinct, physically and biologically. They both belong to different planets. Kimmel, in his theory, also mentions that sexes are not opposing but neighbouring. He says that we all are living in a gender-structured society, and one or the other way, we all are becoming gender slaves. We call institutions gender-neutral, but still, the dominance of one gender over the other is visible. These institutions can be family, school, college, workplace, etc. When we say that we live in a gendered society, we imply that the organization of society has evolved between women and men and the domination of men over women.⁴ This domination creates a dilemma for women, whoever enters the workplace, military, politics, etc. It is also seen, if women want to exceed, then they must leave or sacrifice their femininity and enter masculinity. Women are always laid down; he says that if a woman loses or rejects femininity, she loses the scope of a potential partner, but if she does not sacrifice femininity, then it is said that males and females are different and gender discrimination is legitimate. The concept of gender inequality creates a dual bind in the context of women. This theory also lays that the differences between both genders are not that big, but they became paramount when coming in observation. In this theory, Kimmel has also done inequality by not mentioning the third gender anywhere and by not considering women equal to men and saying that both have equal potential to work the same as a male does.

WHY DOES GENDER EXIST- ANALYSIS FROM THE PERSPECTIVES OF ALL SOCIAL PARADIGMS?

According to Structural-Functionalist theory, the existence of gender is for organizing society into distinct roles that complement each other. As per anthropologists, in the hunter-gatherer societies, men were considered the providers, and women were there to take care of homes. Men are considered physically stronger and have no child-bearing demands, making it easier for them to play more aggressive, autonomous roles, like, hunting or warfare. Over the centuries, these roles became institutionalized. This process can be observed in

⁴ Kimmel S. Michael, *The Gendered Society* (Oxford University Press 2000)
<https://www.google.co.in/books/edition/The_Gend

[ered_Society/ExjWDtstbQYC?hl=en&gbpv=1&printsec=frontcover](https://www.google.co.in/books/edition/The_Gendered_Society/ExjWDtstbQYC?hl=en&gbpv=1&printsec=frontcover)>.



jobs that do not require physical strength specifically but still, the position of men as breadwinners and women to take care of the children has stayed the same.

There are various limitations to this perspective, like earlier anthropologists over-emphasized the roles of activities like hunting, etc. More recent anthropological work suggests that fishing, gathering, and small hunting have always engaged women who have played a significant role in providing food for society.

Sociologist like Talcott Parsons has stuck around the theory of only two genders which have to be complementary to each other. He argued that both boys and girls are socialized in a way to take on traits that complement each other to make it easier to maintain stable, productive family units.

Boys are usually taught the instrumental qualities, like, confidence & competitiveness, that prepare them for the labour force. Meanwhile, girls are taught expressive qualities, like, empathy & sensitivity, that prepare them to care for their families. His theory meant that a successful family needs people to have complementary skill sets, and gender gives us a way of pairing these skills. Furthermore, society, in turn, encourages gender conformity by making people feel that they must fit these moulds if they want to be romantically desirable and by also teaching people to reject those who go against these gender norms. Though this theory was influential mainly during the mid-20th century, it has fallen out of favour for a few reasons, like,

a) It assumes a heteronormative & western perspective on what a family is- Parsons was basing his theory on a division of labour specific to middle-class white America in the 1940s and 50s.

b) Not all families are of nuclear kind with one man, one woman, and a no. of children- When you expand the definition of the family to include same-sex couples, single parents, multi-generational families, or childless adults, it is very obvious to assume that a man works out in the field and a woman works inside the home.

c) The idea of complementary genders rests on two distinct and opposite genders- a western perspective. The idea of gender as a binary is not universal, and it ignores all those whose identities do not conform to a two-gender system.

d) Parsons' theory neglects the individual and social costs of maintaining rigid gender roles- Critics argue that the idea that men need to be the ones working outside the homes to maintain family

stability is arbitrary. Moreover, it reinforces gender dynamics that give men power over women.

II. According to Symbolic-Interaction theory, gender is focused on how gender is a part of day-to-day life. Gender is considered something that a person does, rather than something that is either innate or imposed by institutions.

Clothes, hairstyles, makeup, etc., all these telegraph genders to the people around you and give an individual to understand how people do gender. One usually gets a gut reaction about the gender of the people around, even though the only thing that is different about them is what they are wearing.

This theory also attempts to explain what gender roles are, i.e., how a society defines how men and women should *think and* interact. A man in a skirt is seen more for a rejection of traditional gender roles than a woman wearing pants is. Body language and how people behave with each other are also part of gender, like how women are socialized to be deferential in conversation, meaning that they are more likely to make eye contact to show that they are listening or smile as a way of encouraging their speaking partner.

Examples: Crossing your legs is called 'ladylike' while if you sit on the subway with your legs spread out, you might get glared at for 'manspreading'.

These 'doing gender' examples show how our society's definitions of masculinity and femininity are inextricably linked to each gender's power in society.

Masculine traits are associated with power- taking up more space, directing the conversation, and being valued more than feminine traits

, i.e., everyday social interaction reflects and helps reinforce gender stratification.

There are various limitations to this perspective like it focuses on the micro activities and factors rather than the macro.

Because of its focus only on the situational experiences, it misses the broader patterns of gender inequality.

III. According to Social Conflict theory, gender is a structural system that distributes power and privilege to some and disadvantages others. More specifically, our social structural system is the patriarchy, a social organization in which men have more power and can easily dominate the other genders.

We can see examples of this in institutional practices that disadvantage women, like restricting higher education to men or refusing to vote.



Nevertheless, we also see this in less official ways. Taking up the traits that our society values - rationality is considered a desirable way of thinking which is often praised, especially in leaders, while irrationality is seen as a weakness acknowledging the fact letting emotion affect decisions. Women are effortlessly stereotyped as more emotional and men as more rational, which falsely sees men as more natural fits for leadership positions. The way patriarchy privileges certain people over others is not as simple as saying that all men are at the top of the power distribution.

People face these issues in their lives in many ways, like, **INTERSECTIONALITY**- Analysis of the interplay of race, class, gender, sexual orientation, and other identities often result in multiple dimensions of disadvantage.

When all women are disadvantaged by gender, it is also true that some women experience more disadvantages than others. Moreover, the converse is true for men - all men benefit from living in a society that privileges masculinity, but some benefit more than others.

The gender wage gap is the prime example of this, as black women do worse economically than black men, who do worse than white women, who do worse than white men.

There have been many movements to eradicate these phenomena, like,

FEMINISM- the support of social equality for all genders, in opposition to patriarchy and sexism.

Feminism argues for the eradication of gender stratification, the expansion of choices available to women, men, and other genders, the abolition of gender-based violence, and the promotion of sexual freedom.

Feminism can take various forms, but let us focus on three key schools of thought within feminist ideology.

a. Liberal feminism- rooted in the ideals of freedom of choice and equal opportunity.

Seek to expand the rights and opportunities of women by removing cultural and legal barriers to women's equality, like implementing policies that prevent discrimination in the workforce or improve reproductive freedom.

b. Socialist Feminism-views capitalism as the foundation of the patriarchy and advocates for full economic equality in the socialist tradition.

c. Radical Feminism- To reach gender equality, society must eliminate gender as we know it.

It has clashed heavily with other subsets of feminism, particularly transgender individuals' rights.

Many radical feminists refuse to acknowledge the gender identities of trans women and have accused the transgender movement of perpetuating patriarchal gender norms. Furthermore, these three ways of thinking about feminism are only a few of the many views on how to best advocate for gender equality.

HOW DOES THE MEANING OF GENDER DIFFER FROM THE MEANING OF SEX?

- **SEX:** Biologically influenced characteristics by which people define males and females.

Example: if the 23rd pair of chromosomes hold Y chromosomes. A gene on that Y chromosome causes the gonads to release the male hormone testosterone around the seventh week of conception.

- The added testosterone in males stimulates the growth of the male sex organs in the fetus and the development of the male sex characteristics during puberty.

- **GENDER:** It describes the socially influenced characteristics by which people define men and women. Our gender is the product of the interplay among our biological dispositions, developmental experiences, and environment or culture, so gender refers to the psychological aspects of being male or female.

WHAT BEHAVIORS ARE EXPECTED BASED ON YOUR SEX?

Biology does not dictate gender, but it can influence it in two ways through chromosomes & hormones. Typically, most people are born of either the male sex or the female sex, but on rare occasions, an infant is born with ambiguous sexual organs, and they are called inner-sexed or intersexual.

This leads to the brief of the concepts like,

GENDER IDENTITY-

It is a person's sense of being male or female. Two factors influence it-

1. Biological and
2. Environmental or Social Factors.

Western cultures put a lot of pressure on a boy to behave masculinely; if he cries or acts shy, he could be labelled a 'cissy'. Girls are expected to be quieter, less aggressive, and less competitive than boys.



GENDER ROLES- A set of expected behaviours, attitudes, and traits for males or females, in other words, the cultural expectations. Social Learning theorists believe that children learn their gender roles by imitating others and reinforcing correct gender behaviour.

Gender roles shifted over time in history a century ago. Earlier, women could not vote in elections, serve in the military or divorce a husband without cause; as recently as the 1970s, an assault that occurred against a woman by her husband, even if that would have been deemed serious enough to warrant a felony arrest in any other context. However, it was automatically reduced to a misdemeanour if the assault occurred in the context of a marital relationship; thankfully, that is no longer the case when it comes to gender hormones. Chromosomes are biological influences on gender identity.

GENDER SOCIALIZATION AS A FACTOR IN GENDER-BASED VIOLENCE

According to the National Family Health Survey (NFHS-4), 30 per cent of Indian women aged 15 to 49 had suffered physical assault since they were 15. Research says, 6% of women in the same age range had been victims of sexual assault at least once in their lives. Their partners have physically, sexually, or emotionally abused about 31% of married women. Women subjected to domestic violence are less likely to do a job, care for their children, or engage meaningfully in community activities or social relationships that may assist in ending the abuse. Furthermore, predictably, these figures do not include the third gender. The necessity for initiative-taking steps to reduce Gender-Based Violence at an early stage is critical.

DOES SOCIAL OUTLOOK EXERCISES INSIDE THE INDIAN HOMES AND LEADS TO THE BEGINNING OF THIS INEQUALITY?

The people of India like to look to the current administration to solve many of their concerns (and debate endlessly that this and this political party will put all its efforts to solve their problems). Many of the difficulties that women face, whether related to economic participation and opportunity, educational attainment, or health and survival, must be addressed at the individual, household, family, and social levels.

Gender inequality is at the core of India's culture and value structure, which is the main problem. It begins by treating men and women

equally, and much of India's millennia-old cultural pride must be rethought and reconstructed, which is no piece of cake. Most Indian families perceive any effort to reform or confront gender imbalance as a strike at the very core of their cultural, community, or ethnic character.

Gender inequality is linked to two issues: 1) carrying on of surname and lineage, and 2) social security, according to a deeper analysis. While the first issue (whether your son bears your last name, but your daughter does not) is important to many Indians, the second issue is of greater practical relevance. Most Indians do not plan for their retirement. With the traditional assumption that a daughter will marry and move out, a son is considered as a source of financial security as one grows older. Food security is linked to the daughter-in-law. Living with the son and his family ensures resource sharing in a country with an increasing population and limited land. As one grows older, it ensures economic, physical, food, and emotional security.

The situation is currently graver than in previous decades. Previously, families would continue to have children until they had boys. The birth of a girl was frowned upon and is still frowned upon now, but feticide was not as common. It was normal to see families with many children, both males and girls. The younger children would be boys when the elder children were girls (the girls being born while waiting for the son).

The value of having only two children (represented in commercials as a boy and a girl) was widely popularized during the 1980s and 1990s family planning and population control campaigns. Many Indian families have grasped the importance of offering resources to fewer children and would prefer to have no more than two children. If the first child is a girl, and the second child is a boy, no issues. Both are boys, greater than ever. The greatest fear was if, after the first child is a girl, the second is also a girl.

INDIAN JUDICIARY'S TAKE ON THIS

The following case laws, which were fought to provide justice to one woman, continue to bring hope to several women hoping for the justice served:

A. *Vishaka vs the State of Rajasthan*⁵:

For preventing child marriage, Bhanwari Devi, a social worker from Rajasthan, was viciously gang-raped by five men. She chose to go to court because she was determined to get justice. The trial court acquitted all five defendants in a surprising ruling. Bhanwari Devi's cause was taken up by Vishaka, a Women's Education and Research Group. It joined up with four other women's organizations to file a

⁵ AIR 1997 SC 3011



petition with India's Supreme Court on workplace sexual harassment. The Supreme Court issued the Vishaka rules on August 13, 1997, which defined sexual harassment and required businesses to ensure a safe working environment for women.

B. Mary Roy vs the State of Kerala⁶:

Patriarchal traditions barred women from the Syrian Christian minority in Kerala from inheriting property. The judgement was contested by Mary Roy, a woman's rights activist and educator. When her father died, she filed a lawsuit against her elder brother, claiming that she was not given an equal share of the family's wealth. Despite the fact that the lower court had denied the case, the Kerala High Court overruled its ruling. In 1986, the Supreme Court made a landmark judgement, allowing Syrian Christian women to claim an equal share of their father's property.

C. Lata Singh vs State of Uttar Pradesh⁷:

When she left her parental home, Lata Singh was an adult to marry a lower caste man. Unhappy with the alliance, her brothers filed a missing person report, claiming Lata had been kidnapped. Three members of her husband's family were arrested. As a result, Lata Singh filed a plea to have the charges dismissed, which resulted in the Supreme Court's groundbreaking decision allowing an adult woman to marry or live with anyone she chooses. The court further ordered those individuals who perpetrate violence against those who choose inter-religious or inter-caste marriages to face criminal charges.

D. Laxmi vs Union of India⁸:

Laxmi, an acid attack victim, filed a petition in 2006, requesting that the sale of acid be regulated and that the victim be adequately compensated. In 2013, the Supreme Court placed strict limitations on the sale of acid in response to an increase in cases involving acid attacks against women. The judgment prohibited the sale of acid over the counter. Dealers can only sell acid if the buyer presents a valid photo ID and explains why the purchase is necessary. The dealer is required to report the specifics of the sale to the police within three days. It also made it illegal to sell acid to anybody under 18. One of the most landmark judgments the Indian Judiciary has witnessed towards protecting women.

Gender parity is enshrined in the Indian Constitution's Directive Principles, Fundamental Duties, Preamble, and Fundamental Rights. The Indian Constitution guarantees women equal rights and empowers the government to implement

effective anti-inequity measures in their favour. In the context of an equitable polity, our laws, growth strategy, plans, and initiatives have all been designed to help women in various ways.

The central government has also ratified a slew of international human rights treaties and agreements to ensure equal protection for women. Astonishingly, only a very small percentage of the population is aware of these laws. It is critical for everyone, especially those exploited, to understand their rights and remedies if they are violated. Here are the constitutional and statutory provisions:

A. Article 14:

It states that the state must not deny any individual equal protection under the law or impartial enforcement of the laws inside India. The "equality before the law" method seeks a place in all written texts that guarantees universal rights to all persons, regardless of their birth, ethnicity, gender, or race. Equal protection of the law refers to the uniform application of the law to every individual in India's region.

B. Article 15(1):

It forbids the state from discriminating against anyone solely based on sex, ethnicity, race, nationality, caste, or any combination of these factors.

C. Article 15(3):

It requires the government to provide specific arrangements for children and women. As a result, it says that, while the state would not segregate anyone, they might establish special measures for children and women to protect their interests. Article 15(3), on the other hand, encourages debate of laws aimed at encouraging women and children, such as the Children's Sexual Harassment Act, the Domestic Violence Act, the Workplace Harassment Law, Sexual Abuse Legislation (Nirbhaya Act), the Hindu Succession Act Amendment, and so on. This also addresses restrictions on the wife's allowance, marital rape, and the Food Protection Bill.

D. Article 46:

It requires the government to expose the educational and financial problems of Scheduled Castes, Scheduled Tribes, and other backward sections. It also directs the state to make a concerted effort to promote the academic and financial problems of the population's backward classes, particularly the Scheduled Tribes and Scheduled Castes, and protect them from societal abuse and all forms of oppression.

E. Article 47:

⁶ AIR 1986 SC 1011

⁷ AIR 2006, 208 of 2004

⁸ AIR 2014 SCC 427



The government will work to enhance people's living conditions and nutrition. It establishes the government's primary obligations, the most important factor in achieving social change. It relates to health care, the elderly, improving employment standards, and ensuring justice, expanding the government's responsibilities.

F. *Article 51(A)(e):*

Promoting solidarity and the spirit of mutual friendship among all citizens of the country and condemning activities that defame women's dignity. Now for the statutory provisions, to conduct the Constitution's mission, the state has passed numerous laws to ensure equal rights, combat social discrimination and other forms of violence and atrocities, and provide support services, particularly to working women. Although women can be victims of any crime, such as 'murder,' 'robbery,' or 'cheating,' acts directed exclusively against women are called 'crime against women.'

G. These can be divided into two categories:
The Indian Penal Code Identifies the Crimes (IPC):

- a. Rape is a form of sexual assault (Sec. 376 IPC).
- b. Kidnapping and abduction for various reasons (Sec. 363-373).
- c. Homicide for dowry, dowry deaths, or attempted dowry deaths (IPC Sec. 302/304-B).
- d. Torture, both mental and physical, is a form of torture (Sec. 498-A IPC).
- e. Harassment (Sec. 354 IPC).
- f. Harassment of a sexual nature (Sec. 509 IPC).
- g. Importation of girls (up to 21 years of age)

H. The Special Laws (SLL) have been identified as crimes:

Although not all laws are gender-specific, those that substantially impact women have been examined and amended regularly to keep up with changing needs.

WILL ELIMINATING GENDER INEQUALITY BRING ANY DIFFERENCES IN DISCRIMINATING INDIAN SOCIETY?

The voice against gender inequalities has never been louder in India. Changes in the legislation are not enough to stop the violence, discrimination and injustice against women. It is no longer about law and order; what matters the most is human conduct and behaviour unequal treatment towards women. Change in attitude is necessary for considering women equal within their homes and broader society. If one wants to change against inequality and discrimination, that does not need big steps, but by

maintaining a gender-sensitive environment, we can contribute to a gender-just society. If people are taught right about gender equality, that will help make a gender-sensitive society. Gender equality should be considered a successful transition for Indian society. Both men and women have their specialized perspectives, thoughts, knowledge, and experiences in different sectors that may benefit society and the country. Women should be treated right and equally instead of getting them marginalized. There is a lot more to be done to achieve gender equality; both men and women should unite and work instead of discriminating and discouraging each other to remove the gender inequalities completely. Government authorities, private sectors, and civil and social society need to come together and close the concept of gender inequality and gender gap. Improving gender equality can decrease the violence and unequal treatment against women; it will also improve and develop peace. Every individual will be benefited from gender equality. Updating the outdated mindsets and replacing the old systems based on discrimination can eliminate gender inequality.

A COMPARATIVE ANALYSIS BETWEEN THE PAST AND PRESENT THOUGHTS OF INDIAN SOCIETY AGAINST GENDER DISCRIMINATION

Discrimination against women and gender inequalities by birth plays a marginal role in Indian society; it makes them uneducated, poor due to no employment opportunities, and increase in health rate risk. This has been a major issue since the beginning. Even in the past, women were not treated equally, and still, gender and sex discrimination are seen in the world today. Women were meant to be at home and take the responsibilities of the household, take care of family, children. They were not given education, work, or any social or political affairs opportunities. Only men were given the privilege to do so. All these inequalities are huge barriers against the individual's capabilities and choices. The female mortality rate was higher in infants due to sex discrimination as they were forced to abort the girl child when the gender was revealed. Whereas in the educational sector to the situation is no better. The literacy of women is 45% when compared to men's literacy rate, which is 68%. Girl child was not allowed to go to school as people thought it unnecessary to educate a girl, as thus unemployment and illiteracy rates are higher in women than men. Due to low literacy rates, women were not employed as it required higher qualification and professionalism, and they were not aware of their fundamental rights. Due to no



education, women lack self-confidence and knowledge and do not make their own choices even when it comes to marriage. However, today, people have raised their voices against inequalities and discrimination, and women are given equal rights in every sector. They are given equal rights and opportunities in education, employment, and every place. Today women are even taking part in politics and social organization and are sharing their views for the country's development. After many protests, clashes, disparities, and discrimination, women have taken place equally. They are even getting opportunities in governmental sectors, employment in government jobs, opportunities in IT sectors, and many more.

GENDER INEQUALITY UNDER OCCUPATIONAL SECTOR IN INDIA

Relationships are contrasted through socialization. Children are encouraged to take different roles and responsibilities from a very young age. For example, girls are expected to stay in and do the household work whereas boys are expected to stay outside of the house, and when they become adults, women are often expected to look after the family and take the responsibilities of the house, whereas men are expected to work outside and be the bread earners. In every culture and religion, men are expected to be the head of the family and providers, but women's role is to be their supporters and caretakers. The opportunities and attribution are temporary and gender-specific. These vary between cultures and social differences like political status, class, etc., occupations and opportunities are also gender-specified. For example, people think the army is only for men; nursing is an occupation for women and many more. Gender equality, therefore, refers to the equal rights and opportunities, and responsibilities of men and women without any distinctions and discrimination on race, colour, sex, religion, birth, or another status. It ensures that all individuals have equal enjoyment of their rights and freedom. It also refers to giving equal rights and opportunities to people of different sections of society in social and political institutions. Gender equality does not state that all men, women, boys, girls will become similar. It means that all the rights, responsibilities, and opportunities are given to each and every human without any discrimination on their gender. Women were discriminated against when it came to the work field, they were not high or equally paid, and due to the harassment and danger to women, they were not allowed to stay out late. Many women chose simple jobs as they could not handle the responsibilities of the house and workload.

Women were not given much opportunities in the governmental sector and civil services; also, in the IT industries, women were not employed.

CONCLUSION

Gender is deeply ingrained in our culture. It is critical to recognize that these conceptions are natural, which means society generates them. India is also not left out from malediction. Analysis of all the existing social paradigms also emphasizes that the structural framework is the patriarchy, a type of social organization in which males have more authority and control over the other genders. Furthermore, because of this, all the other genders have been looked down on and treated unequally over the centuries, and so few are still fighting for their rights. This phenomenon exists to a great extent in India and leads to various crimes against these genders like domestic violence and female feticide. The main issue is a gender inequity in India's culture and cultural structure. Most Indian families regard any attempt to reform or address gender inequality as directly attacking their cultural, community, or ethnic identity. The judiciary has also been prominent in neutralizing gender inequality to its best. With all the constitutional and statutory provisions and judgments that still empower many that the light of justice is still there for them is a unique take from the side of the judiciary. Gender discrimination has been a major issue in the country; one must know their fundamental rights and equalities, and this can be done by creating awareness about the inequalities which still exist in the country. This evil can be eliminated by education and literacy to all the individuals, and government should provide education for the girl child and make strict laws against gender discrimination and unequal treatment.