



EXPLORING GENDER JUSTICE

Reshel Bretny Fernandes

UG Student, Sri Mahaveera College Moodabidri India

ABSTRACT

The society is looking forward with the blossoms of technology and developments which has covered the existing systems. When looked upon the conditions, the concept of 'gender' remains to be a crucial note in every societies. The social conditions prove the necessity at which gender discrimination that is taking place since ages with the pre-conception that women remain 'inferior'. In the modern sense, gender justice is seen as in all forms where all the genders are not only treated equally, but even given a chance to exhibit themselves at the society. The society has changed from 'norms' into 'laws' which these legislations stand as a support system upon the rectifying of various issues. The essay paper consists of various such fields which through the connectivity of laws has led to impact at the matter of 'choice' by which its working would be completely analyzed. The concept that has gained significance over itself by seeing violence and suppression free society. The stopping of violation of human rights would be the ultimate aim working forward at the gender equality being promoted which is the fundamental foundation for the sustainable society ahead upholding peace and dignity. The essay paper focuses upon the angles that connect with the fact that progress is seen along with which the impact over society where the justice is taken at the fair means.

Keywords: Laws and legislations, gender equality, application towards welfare

Introduction

Gender justice refers to the implanting of equality and terms of equitable circumstances in the sections of living aspects that shape the decisions promoting equal chances for all genders in choice of rules and regulations without harm to a particular gender. The times have looked upon various changes which found that, ancient times when the traditions and norms were into consideration it remained evident the capability in the physical means, the women remained to be inferior which was accepted by all, that at a long run made a way towards numerous issues leading to the outbreak of movements, ultimately resulting to the various law giving institutions to promote a keen overview at the enforcing of laws. This later led to the introduction of 'justice' to remove the domination. Gender justice is necessary for the promotion whereby the laws requires an evaluation by which it would be necessarily brought into notice that they are efficient in their working with the realization at the responsiveness in understanding obligations of every gender at the society. Even in the modern times, when all believe that education has covered up all the happenings of society, but bitterly it's been found that still today women face a lot of issues which threatens their safe living and harms the security which at a foresightedness will not make the understanding at the civilized society. The application of laws have made a better note developing lives of women, but at the purview of perfectness it requires complete understanding over it.

CONUNDRUM OF PRO-CHOICE AND PRO-LIFE IN ABORTION LAWS

After the liberty, it is understood that it is considered over the women's right to choose in the perspective of abortion. But in the realistic sense, the laws of abortion have been in order to protect women at times, which is required to be in the ways of women's decision being considered. But the law bounds this situation, where women in accordance to the law have to work. Here, when the concept of gender justice appears, we note that over the choices in abortion both men and women to have equal opinions in the purview of abortion. This denotes the critical evaluation where in some countries women are given with higher priority which creates the imbalance over the concept of justice. The main priority would always be that safe abortion is made which affects the lives of the human beings. But, a true fact lies is that even though the gender justice is to be promoted, it is that women have the affect over their lives, so when the aspect comes at the legal perspective we find that women are given choices over such matters. The women's life must be saved as that their suffering must be stopped. Many organizations have raised voice to promote choice towards women in all means towards the abortion aspects. It is that women are still not provided the choice over abortion where the doctor's dominate over the decision. But, evaluating in a different sphere, women are the ones who bear the consequences by which their opinion is a need in order to move ahead that they don't have to overcome the societal suffering. At times, women do not have legal supremacy which leads to more chaos and confusions whereas reducing the maternal mortality is considered. But, understanding that the safe abortions are needed which will not cause any harm to physical and mental health is needed. Today, there is legal action against the sex determination causing to abortion is prohibited which ensures the justice. Hereby, it purely remains as a women's right to imply on any actions affecting their lives that can take away problems affecting the societal living.

ISSUES SURROUNDING DOWRY LAWS

In India, we find that in 1961 Dowry Prohibition Act was passed. This has been passed even at the local levels where we find that dowry system is under control at some levels. But, the society has developed such a mindset where the existing situation and norms remain as a difficulty over gaining a change. Though, people are educated they fail to understand these laws creating problems in society. By the means of ignorance, many take this as granted and some are not aware about it creating problems at the society which paves injustice to women. Oftenly, even at the current times we find that, the women are ill-treated for dowries leading to domestic violence. It is that even if the laws are passed people's desire to accept and implement would only lead to success. If we take various examples of the rural areas, we understand that the rural women remain a trap at such aspects where even laws existing these illegal activities take place. When the concept of gender justice is noticed, we find that men and women in the marital terms are considered equal by which dowry system creates a hinderance affecting the lives of women and making them helpless. The corrupt officials and mediators at times, invite towards the breaking of the laws made even knowing dowry system is a punishable offence. The dignified living is completely hindered that would move against the human rights. To critically point out that, the sense of prestige matters among the families where this law remains unenforced creating disturbances in the gender equality and the question lies of security of women where the compromise is made to protect their lives. But the existing laws would remain in the framework itself when the officials and people do not utilize it.

TRANSFORMING PENAL POLICY IN SEXUAL OFFENCES

We note that, sexual offences are prohibited by which Section 354 is sanctioned to the criminals. From the 19th century the complicated laws that were existing saw changes at the simple ones. But at times we find evidences where the sexual offences are not been proved at correct ways due to the laws in medical means which remains as a dilemma to the victims. When we speak about the concept of gender justice, we find that men and women require the laws at the same manner in the concept of gaining justice. Today as the times are modern we find that the offences taking place remain to be same equally applicable towards the men and women. If this continues the biasedness increases creating inequality among the society. Hereby, any law made is to create a safe and dignified society where all live with happiness. This intention is to be fulfilled always, any violence in regard to sexual violence and harassments, we find that the laws being equally applicable can make a way towards gender justice. When the constitution has made all equal, now when the advancement has taken place, all the genders require equal protection in all the matters of societal affairs. It can happen that the laws can be misused for the selfish needs creating problems to a particular gender, which is the need to avoid it at all best possible means.

GENDER AND DEATH PENALTY

The death penalty seems to be an issue which needs to be looked at the ways of seriousness where at times its felt that women are considered to be biased in the death penalties. Further, its even noted that the level of crimes committed by women seems to be much lower than men, so its that, the capital punishment is also less. So this can be the case where men get the capital punishment and women are left behind. But the concept of gender justice, awakens that both men and women must be treated at the same way which promotes equality. The certain sources say that women remain as minorities which they must be spared. But all are equal at the eyes of laws. But at the global scenario as the developments have taken place, concept of justice must be seriously thought which can seem to be seriously analyzed. In India at best means death penalty is avoided such that only at that extent its ordered. So for the biased situation Nalini's case is considered where she had murdered Rajiv Gandhi and still not been executed whereby controversial statements are put forth remarking that feminism must not hinder to show the difference between right and wrong. In the legal ways, whatever is against the law must be considered seriously by which in maximum point view should be given to promote equal circumstances without bias without emotional elements.

PANDEMIC AND DOMESTIC VOILENCE

During the outbreak of Covid-19, we find that the social media was overloaded with cases of domestic violence taking place. The times of pandemic where quarantine, lockdown was necessary methods which made many men especially move into anti-social means, also consuming alcohol by which the women of the house wives, daughters were ill-treated though domestic violence prohibition Act 2005 is ensured. The pandemic made the people remain at homes where their jobs were lost and so due to the downfall of the financial aspects, we find that the instability in mind created violence at homes making mainly the women's lives to suffer. Now the evaluation lies is that the law is prevelant, but why still we find such situations. The question arises has the law not been uprooted people to move ahead and strive something for people. Prior to which, the gender inequality has crept in such ways of ill treating women which does not make the existing laws to work. The mindset of the people is that women are inferior and men superior which creates such problems that even stops the laws from working. The women need to come ahead that they can work for changing the conservative minds of people. At homes, it is that men and women both have the rights over living which cannot be forcefully taken away where women can also make choices. Even if violences take place in mental, physical and sexual means, the support from the administration though developed is not found which creates fear among the victims. The women during pandemic have been financially weak that makes them be dependent on men creating abuses. The helplessness though laws are passed can be found among women which can be rectified by change of prejudiced view.

GENDER VOILENCE AND ROLE OF SOCIAL MEDIA

We can note that all the issues emerging in regard to gender violence can be solves through awareness. As rightly said, "Prevention is better than cure". Here, the social media is a platform which can reach the people at the ground levels making them responsible and promoting a awareness so that any injustice can solved easily. If any victim requires any assistance reaching out people, can use the social media in transferring the information creating

attention towards the issues. The awareness has the power to socialize people making them undergo behavioural change with positive solutions exposing to the large audience giving way for positive ideas and opinions tackling situations. The major aspect is change must be accepted among all the genders. Though we claimed to be civilized which at times social media educates individuals with variety of information that must be implemented and utilized during the needy times ensuring developmental capacities. The critical discussion creates actions at the stake of citizens promoting gender justice using various campaigns and helplines. The communication has become easier expressing problems and approach towards solution is seen. The incentives and gain of confidence from the motivation moving to co-operate the gender justice can be available at the social media. The future generation would be away from the existing norms and taboos creating an atmosphere where capabilities of men and women are respected and violence is stopped. The social media allows the women especially to be together and fight against wrong happenings against them. Hence when unified working helps justice cannot be denied where social media remains as a strong evidence be it men or women as today even men face violence and even other genders.

CONCLUSION:

By this above description provided, we find that, gender justice is a growing concept where any law passed does not start its effect unless people utilize it in an appropriate manner without harm to any sections. The gender justice always remains as a way to achieve goals of civilized life where capabilities and strengths are considered without the inferior mindset leaving behind selfishness. All the areas covered find that one gender or the other has been affected with laws either positively or negatively, but by keen understanding and developmental perspective injustice can be taken away through tools like social media. Human beings often mistaken themselves creating mishaps but the point view must be seeking progress among the future generation who must learn that quality living with dignity is necessary where education has been enriched even at the groundroot levels. The laws passed are for the sake of people, which has negativity in its implementation. But understanding and applying can make the society more better with human rights upheld. The need of time is change of mindset and legal provisions must be in action that upholds advancement at best possible levels.