
UNIT 8 STRATEGIES TO PROMOTE GENDER EQUALITY IN THE CLASSROOM

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8.1 INTRODUCTION

In the previous Unit you have read about the participatory classroom. By now, you have understood the meaning and importance of participation in the classroom. What are the ways in which the process of classroom participation function and operate at various levels? In this Unit, we will study the debates on constitutional provisions and laws. For instance, laws such as 'Sexual Harassment at Workplace Act, 2013' and so on. What is the relationship between laws and gender equality? How have laws brought equality at the societal level? What are the policies and programmes that are dealing with gender equality? Therefore, we need to understand the major debates raised by such policies, programmes and laws in the larger context of gender and society. However, to promote gender equality, what kind of efforts the schools and institutions should consider breaking the existing gender stereotypes? How can schools be engaged to bring out gender equality in everyday life of school children? We will discuss all these issues at length in this unit.

8.2 OBJECTIVES

After studying this Unit, you should be able to:

- learn constitutional and legal provisions on gender;

- know the policies and programme addressing gender equality;
- engage with the debates on women's and human rights; and
- critically analyze the gender stereotypes in schools.

8.3 CONSTITUTIONAL PROVISIONS AND LAWS RELATED TO GENDER

Gender and laws are the prime topics of discussion in the national and international discourse. Laws are the key instrument of empowerment for women. Thus, it is very important to engage with the legal provisions and its impact on gender. Let us read a few constitutional provisions and laws which talk about gender equality. The Constitution of India is a legal, moral and political document that guarantees equal rights to all citizens in the country. The *Fundamental Rights* ensure the safeguarding of individual liberty, along with them the *Directive Principles* also provide justice to the citizens in every sphere such as the economic, social and political across caste and community.

The Fundamental Rights and the Directive Principles of State Policy are stated to be the central principles in the nation state as given in the Constitution. As Flavia Agnes argues, "The Fundamental Rights are justiciable rights which protect individuals from arbitrary, prejudicial State actions. Equality, non-discrimination, freedom, liberty, and protection to minorities are its primary pillars" (Agnes, p. 84: Constitutional Debates). On the other hand, the Directive Principles are the authentic body in the Constitution of social revolution. According to Agnes "The essence of the Directive Principles lies in Article 38 which echoes the Preamble:

The state shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social economic and political shall inform all the institutions of the national life" (Agnes, p.84: Constitutional Debates)

Let us learn about some of the major interventions done in the Constitution for rights of women for gender equality. (The following details/ citations are taken from the book *Women Rights and Law* by Thomas B.Jeyaseelan S.J.pp.87-90)

Article 14: Equality before Law: The State shall not deny to any person equality before the law or equal protection of the laws within the territory of India.

Article 15: Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.

- (1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, and place of birth or any of them.
- (2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to-
 - (a) access to shops, public restaurants, hotels and places of public entertainment; or

- (b) the use of wells, tank, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the public.
- (3) Nothing in this article shall prevent the State from making any special provision for women and children.
- (4) Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizen or for the Scheduled Caste and the Scheduled Tribe.

Article 16: Equality of opportunity in matters of public employment

Article 17: Abolition of untouchability

Article 19: Protection of certain rights regarding freedom of speech, etc.-

- a) To freedom of speech and expression;
- b) To assemble peacefully and without arms;
- c) To form associations or unions;
- d) To move freely throughout the territory of India;
- e) To reside and settle in any part of the territory of India
- f) (right to property – deleted)
- g) To practice any profession or to carry on any occupation, trade or business.

Article 21: Protection of life and personal liberty

No person shall be deprived of his life or personal liberty except according to the procedure established by law.

Article 23: Prohibition of traffic in human beings and forced labour-

- (1) Human trafficking and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.
- (2) Nothing in this article can prevent the State from imposing compulsory service for public purposes, and in imposing such service State shall not make any discrimination on grounds of religion, race, caste or class or any other form.

Article 24: Prohibition of employment of children in factories, etc.

No child below the age of fourteen years shall be employed to work in any factory or mine or engage in any other hazardous employment.

Article 39(d): The State is directed to provide equal pay for equal work;

Article 42: State is directed to make provisions for ensuring and human conditions

of work and maternity relief; and Article 15(A)(e) of the Indian Constitution says that, a fundamental duty is imposed on every citizen to renounce practices that are derogatory to the dignity of women.

However certain interventions of laws through various judgments are remarkable. The efforts of women’s groups/ women’s movement are also significant towards the question of women’s equality and rights in which the Constitutional provisions are making positive interventions. For instance, The Maternity Benefits Act, 1961, The equal pay for equal work under the enactment of The Equal Remuneration Act, 1976, The Protection of Women from Domestic Violence Act -2005, The Sexual Harassment at Workplace -2013 are some of them. Moreover, the demand for reservation for women in parliament or campaigns against political violence, rape, dowry, sex selection abortion, and surrogacy and so on are also addressed. The Nirbhaya case of 16th December 2012 brought the new discourse about criminal amendment laws with the recommendation of Justice Verma Committee. The committee has also recognized the category of marital rape which can be considered as a landmark intervention for the feminist movement. It also talks about acid attacks, child sexual abuse, Khap panchayats and honor killing etc.

Check Your Progress I

1. Write details about article 15 of the Indian Constitution.

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You must know the Labour Laws for empowerment of women.

- The Factories Act, 1948- Several provisions protecting women at workplace are in this Act, for instance, occupational safety, provisions of sanitation and crèche facilities.
- The Mines Act- This Act prohibits the employment of women underground and provides for restricted timings of work for women employed above the ground.
- Maternity Benefit Act, 1961- This Act Provides for maternity leave and benefit to protect the dignity of motherhood and justice.
- The Equal Remuneration Act, 1976- This Act provides equal remuneration to men and women workers for same work or similar work.

(Cited from Saumya Uma, pp. 70-92).

No.	Section	Offence	Nature of the offence	Maximum Punishment
1	294	Doing any obscene act in any public place; singing, reciting or uttering any obscene songs, ballad or words in or near public place	Cognizable Bailable	3 months or fine or both
2	304 B	Dowry Death	Cognizable Non-bailable	Minimum: 7 years Maximum: Life imprisonment
3	313	Causing miscarriage without woman's consent	Cognizable Non-bailable	Life imprisonment or 10years and fine
4	314	Death caused by act done with intent to cause miscarriage; -if done without the consent of the woman	Cognizable Non-bailable	10 years and fine Life imprisonment or 10years and fine
5	315	Act done with intent to prevent a child being born alive, or to cause it to die after its birth	Cognizable Non-bailable	Imprisonment or 10years and fine or both
6	316	Causing death of unborn child by act amounting to culpable homicide	Cognizable Non-bailable	Imprisonment and 10 years and fine
7	317	Exposure and abandonment of child under twelve years, by parent or person having care of it with intention of wholly abandoning	Cognizable Bailable	Imprisonment or 7 years and fine or both
8	318	Concealment of birth by secret disposal of dead body	Cognizable Bailable	2 years or with fine or both
9	323	Simple hurt-wife beating	Non-cognizable Bailable	1 years or with fine up to Rs.1000 or with both
10	324	Simple hurt with dangerous weapons or means	Cognizable Bailable	3 years or with fine or with both
11	325	Grievous hurt-wife beating	Cognizable Bailable	7 years and with fine
12	326	Grievous hurt with dangerous weapons or means	Cognizable Non-bailable	Imprisonment for life or 10 years and with fine

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13	354	Assault or use of criminal force to a woman with intent to outrage her modesty	Cognizable Bailable	2 years or fine or both
14	363 A	Kidnapping or obtaining the custody of the minor in order to employ such minor for the same reason	Cognizable Non-bailable	10 years and fine Imprisonment for life and fine
15	366	Kidnapping or obtaining or inducing woman to compel her for marriage or cause her defilement, etc.	Cognizable Non-bailable	10 years and fine
16	366 A	Procuration of minor girl	Cognizable Non-bailable	10 years and fine
17	366 B	Importation of girl from foreign country	Cognizable Non-bailable	10 years and fine
18	372	Selling or letting to hire a minor for purpose of prostitution	Cognizable Non-bailable	10 years and fine
19	373	Buying or obtaining possession of a minor for purpose of prostitution	Cognizable Non-bailable	10 years and fine
20	374	Unlawful compulsory labour	Cognizable Bailable	1 years or fine or with both
21	376	Rape	Cognizable Non-bailable	Minimum: 7 years Maximum imp. For life
22	376 A	Intercourse by a man with his wife during separation	Cognizable Bailable	2 years and fine
23	376 B	Intercourse by public servant with woman in his custody	Cognizable Bailable	5 years and fine
24	376 C	Intercourse by superintendent of jail, remand home, etc.	Non-Cognizable Bailable	5 years and fine
25	376 D	Intercourse by any member of the management or staff of a hospital with any woman in that hospital	Cognizable Bailable	5 years and fine
26	377	Unnatural offences	Cognizable Bailable	Imprisonment for life or 10 years and fine
27	493	Cohabitation caused by a man deceitfully inducing a belief of lawful marriage	Cognizable Bailable	10 years and fine

28	494	Bigamy-Marrying again and during lifetime of husband or wife	Cognizable Non-Bailable	7 years and fine
29	495	Some offence with concealment of former marriage from person with whom subsequent marriage is contracted	Non-Cognizable Non-Bailable	10 years and fine
30	496	Marriage ceremony fraudulently gone through without lawful marriage	Non-Cognizable Bailable	7 years and fine
31	497	Adultery	Non-Cognizable Bailable	5 years or fine
32	498	Enticing or taking away or detaining with criminal intent a married woman	Non-cognizable Bailable	2 years and fine
33	498 A	Husband or relative of husband of a woman subjecting her to cruelty	Non-cognizable Bailable	3 years and fine
34	500	Defamation	Non-cognizable Bailable	2 years or fine or both
35	509	Word, gesture or act intended to insult the modesty of a woman	Cognizable Non-Bailable	1 year or fine or both

Source: *Women Rights and Law (2005)* by Thomas B.Jeyaseelan S.J.pp. 110-116., published Indian Social Institute.

All citizens are equal under the Constitution of India. Let us read some case studies on law and equality of gender. Let us also read some case studies on right to equality.

CASE STUDY I

India is witnessing diverse struggles related to the freedom of expression, right to faith, gender equality and so on. Struggle of Trupti Desai for the right to stop the gender bias related to the temple entry is one of the most important and contemporary incidents which has foregrounded multiple dimensions of equality and faith. In other words, Trupti Desai with other activists of an organization called *Bhumata Brigade* decided to challenge the tradition that prevents women to enter *Shani Shingnapur* temple in Maharashtra. They challenged the belief that the vibrations that come from the idols, harm women and therefore women are not allowed to enter the sanctum sanctorum. Her organization was founded in the year 2010 at a village near Pune. Trupti Desai argued that “My organization made the decision... We were affected when the temple was “purified” after a girl entered the sanctum. We would have been thinking of a way that breaks the tradition which discriminates against women” (Trupti, 2016). She further argued that “I am a devotee of *Lord Shani* and I want the Temple Trust to respect the women” (Trupti, 2016).

Source: Economic Times, Samrat Phadnis, *I'm not doing anything for publicity: Bhumata Brigade's Trupti Desai.*

<http://economictimes.indiatimes.com/news/politics-and-nation/Im-not-doing-anything-for-publicity-Bhumata-Brigades-Trupti-Desai/articleshow/50782511.cms>

CASE STUDY –II

Religion and individual freedom is always discussed in the context of the ethical core of the religion versus the individual's approach/standpoint related to her/his religion or any form of faith or religion. Patriarchy has penetrated the core of religion across the globe. Gendered nature of faith thus leads to marginalization of women who follow that religion. *Bharatiya Muslim Mahila Andolan* has 50,000 members in fifteen states. Activists of *Bharatiya Muslim Mahila Andolan*, an independent, secular Muslim women's organization raised the issue related to Muslim women's discrimination related to *Haji Ali Dargah*. They could enter the sanctum sanctorum via separate entry. Women had to offer prayers and had a different entry location.

One of the activists saw the steel barricade that prevents women from entering the sanctum sanctorum. Activists thus visited the members of the Trust and enquired the reasons for the prevention of the entry. The president of the *Haji Ali Dargah* Trust said that women who wear certain forms of dresses expose the parts of their body. It also said that it is done for the "safety and security of women". It is also argued that earlier, they were not aware of the provisions of "shariat and made a mistake and therefore had taken steps to rectify the same". The petitioners sought the help of diverse, state authorities to find out a solution to the problem. Based on the Article 14, 15, and 16 women should be allowed to enter the sanctum sanctorum like men. Bombay high court's verdict ruled in favour of the petitioners in this case has raised several debates related to the nuances of faith, gender and so on. This judgment created emphasis on the fundamental rights that are enshrined in the constitution. Religious law and gender equality are viewed as contradictory and conflictual in nature. It is questioning, the patriarchal appropriation of religion. Struggles of these sorts that address the larger questions of gender equality and religion have provoked social movements in India to rethink about the contemporary debates related to religions and their positions on gender equality. Thus, women's assertions for human rights have expanded the question of social justice. One of the debates that emerged was whether a custom must be justified or one needs to follow the Constitution. Right to equal access in the context of religion has widened the societal struggles related to democratization of entry to sacred realms.

Source: The Hindu, Newspaper. Richa Khare and Shivam Patel, *Haji Ali entry ruling a victory for women say petitioners.*

<http://www.thehindu.com/news/cities/mumbai/womens-entry-into-haji-ali-sanctum-a-victory-for-women-say-petitioners/article9037096.ece>

Check Your Progress II

2. Write about the struggle of Trupti Desai for the equal rights of women?

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8.4 POLICIES AND PROGRAMME ADDRESSING GENDER EQUALITY

Several policies and programmes were introduced since India's independence. We shall review the important policies here.

Colonial modernity and its impact on education in India have raised new questions related to social mobility, equality and education. Post-colonial education has witnessed innovative ways of educational thinking and satisfactory results in society. Gender was central to those concerns related to education. For instance, National Committee on Women's education was one of the pioneering committees that emerged in Postcolonial/post-independent India. Durgabai Deshmukh played a significant role and it got constituted in the year 1958. The Committee pointed out that lack of education of girls and boys determines the social backwardness. National Council for Women's Education (1959) was formed as a part of the Committee's recommendations to design policies to widen practices related to the education of girls. It broadened the public discourse by initiating new educational programs that accelerate the consciousness and social mobility of women from diverse sections.

It is important to revisit history to understand the background of several programs and policies that were created to end the social disparity related to education. For instance, Kothari Commission on Educational Reforms (1964-1966) that was formed to develop the educational scenario in India played a vital role in the thoughts and practices related to education. It led to the foundation of State Boards of Education and School Education Commission. These institutions were created to ensure equality in the field of education. One of the important committees that considered the larger questions of education and gender equality was the Committee on the Status of Women in India (1975). It analyzed the diverse aspects of law, Constitution and administration in the context of the lives of women. It also argued that women's education is underdeveloped. Thus; it suggested co-education as a viable alternative that can link education and gender equality. It also suggested common educational program for girls and boys up to tenth class. It also allowed boys and girls to select all courses on equal basis. Thus, it tried to minimize the gender stereotyping related with the identities of students, nature of courses/subjects and so on. It also recommended that boys and girls at the primary level should be taught dance, music and work. Some of the chapters in the policy documents exemplify the higher level of consciousness related to gender equality. For example, chapter named "Education for Women's equality" in The National Policy on Education (1986) argued that education can operate as an "agent of basic change in the status of women". It aimed to correct the earlier, gendered inequalities and move towards a bright world of gender equality. It imagined national education should play a key role in the development of women. Thus; it addressed the concerns related with the empowerment of women. It analyzed illiteracy as an obstacle to the overall growth of women.

Policy makers realized that elementary education also faces gender disparity. Efforts were initiated through District Primary Education Programme (DPEP) in the year 1994. It attempted to address the inclusion and opportunities of girls related to education. It also emphasized on the marginalized sections' access to education. It discussed the measures that can tackle the questions related

to access, quality and retention of girl students. Broadly, it focused on the perspectives that reflected on the educational -upward mobility of girl students.

Literacy is one of the key aspects that determine gender equality. Female illiteracy from the underdeveloped states created problem for the educational opportunities and status of women in those states in particular and national level in particular. Therefore, National Literacy Mission was created to address the larger questions of female illiteracy. In addition to National Literacy Mission, Total Literacy Mission was also started to reduce the illiteracy and gender related educational contraries. Elementary education of girls from marginalized sections is addressed through the National Programme for Education of Girls at Elementary Level (2003). It focuses on remedial forms of teaching, helpful courses, provision of stationery and so on. It also focuses on Girls from scheduled castes, scheduled tribes, below poverty line sections, minorities, other backward classes and their diverse aspects such as residential facilities, programmes related to personality development and so on. For instance, it provided residential programmes related with upper level-primary education for girls from marginalized sections and provided opportunities for girls from rural areas in different, fundamental levels of education. It also focused on the significance of communication skills. It addressed the need of consciousness related to health. Central Social Welfare Board has introduced condensed course of education to address the educational needs of the women from the most marginalized communities/regions. It is initiated in the context of stark gendered divisions that lurk in the vestiges of secondary/higher education. State based policies have impacted the educational mobility of the women. For instance, women from the developed states have achieved higher level of educational mobility than the women from the underdeveloped states. This hiatus of educational underdevelopment accelerates the inequality among the women from the diverse caste-class, social compositions. Eleventh Five Year Plan (2007-2012) has contributed to the gender equality in education through the increase in representation of girls and boys at the elementary level. Universalization of secondary education which is a part of the Eleventh Five Year Plan will lead the Indian education realm in a positive direction. Gender equality will thus democratize the ethnocentric and patriarchal dimensions of educational thought/practice.

8.5 HUMAN RIGHTS AND WOMEN'S RIGHTS

Questions of human rights are transforming according to the global and national political environments. At the same time, the question of citizenship is also becoming complex across the globe. New social movements have redefined the understanding of rights through their paradigm shifts from the grand ideologies and traditional, political parties. However, these old as well as new political praxis coexist and certain consensus persists among them like the larger social and political conundrums related to the rights of the women.

Patriarchy is the social order that legitimized the domination of men over the women. Family, by the radical feminists, is considered as a central, social institution that legitimizes patriarchy (Millet, cited in Pilcher and Imelda, 2005:95). One of the central contraries that haunt the Indian society is that of the contradiction between the political and social dimensions of democracy. Constitutional privileges empower the diverse sections in society. However, majority of the society still follows certain stereotypes and taboos related to

the marginalized sections in the society. Therefore, the complexities of empowerment and marginalization of women have to be explored in that context. One of the vexing questions before Indian society is whether it has addressed the challenges that exist before the social mobility of Indian women. What are the antecedents of the rights of women in India? To explain this question, one needs to know the vestiges of agency that lurk in the larger terrain of women's articulations for their rights. For instance, one needs to revisit the broader debates that revealed the notion of agency of women in the global/national human rights context.

It is argued that contemporary Indian women's movement have "two moments-the moment of making liberatory demands based on essential identities, and the complementary moment of deconstructing these identities-right from its beginning in the mid-1970s" (Desai,1997 :111). It further leads to diverse, political articulations. It attempted to explore the larger questions related to law and in turn expanded the meaning of human rights in India. It is further argued that the autonomous women's movement has to be seen in the background of the political change that happened in India during "late 1960s" and "early 1970s" through the assertions of employees in the public sector, pupils, workers, adviasis and peasants (Kothari,cited in Desai,1997:121) . It is analyzed that women activists who were alienated from the male activists who considered the oppression of women as "secondary to class oppression" made women activists to rethink about their "gendered division of labour" within the protest movements" (Desai,1997,111-.12). It is asserted that western feminist approaches such as socialist and Marxist feminist interventions influenced the Indian feminist thought/practice and it led to new forms of rethinking/rereading praxis. "The Report of the National Committee on the status of the women" (1975) created a difference in the feminist understanding in India.

It addressed the marginalized location of women in Indian society. It also accelerated the activities of independent feminist groups. It addressed the issues related with women and development. Broadly, women's groups forged alliances with another human rights activist across India. For instance, the Mathura rape case based activism condemned the brutal rape of a fourteen-year-old tribal girl and it sparked new perspectives on the linkages between the status of most oppressed women and social/political inequality. Legal activism and women's activism thus provided new dimension to the law and social change. For instance, four law professors from the University of Delhi who fought a legal battle during 1978 encouraged the women's movement to engage with deployment of law for social transformation. Women's groups also addressed issues such as sex-selective abortion, sexual violence and communalism, dowry based violence and so on (Gandhi, Shah, Kumar, cited in Desai, 1997:113). Women's groups diversified the ideological content and modes of resistance across different regions in India. For instance, they exposed the perpetrators of crime to the public through 'public shaming'. Protest marches created major awareness among the educated and illiterate sections in the society. Poster exhibitions, street theatres and poster protests created new awareness about the rights, law and justice among the women who face multiple forms of gendered oppression. Women's groups intervened in the field of criminal law to convert the law for large scale, societal transition (Desai, 1007:113).

Women's self-groups, for Manisha Desai, that supported women at distinct phases of their life were motivated by the "protest groups". However, it is

observed that “autonomous women’s groups” realized the politics of cooption and depoliticization by the status quo. Activists indulged in serious rethinking about the nature of patriarchy understood that patriarchy is very much present in the family of husband as well as natal families. Thus, they contributed innovative ideas to understand the oppressed location of women. They emphasized the universal nature of violence. For instance, autonomous women’s organizations considered rape as a “violation of human right of a woman to have control over her body. It is not just a sexual offence; it is an exhibition and confirmation of power” (Abraham, cited in Desai, 1997:115). Class based feminism of women’s groups created dissolution among the women activists who argued that caste reproduces patriarchy. They also argued that social composition of women group leaders is from privileged-class/caste locations and whether such elite leaders have the epistemic priority to speak about the rights of the lower class-caste women. The shift from class to caste is contested. At the same time, women’s groups have started recognizing the change in such theoretical/practical shifts. Women’s groups argued for the equal rights related to religion and challenged gendered/politicized religion. They have adopted very careful approaches to the issues related to politicization of religion, communal violence and so on.

8.6 ADDRESSING SEXUAL HARASSMENT IN SCHOOLS

Discussion about sexual harassment is considered as a taboo in a society that is sexually repressed in all respects. Norms and regulations across the globe, thus, condition discourse on the diverse aspects of sexuality. However, these conditioned discourses about sexuality do not allow any critical scrutiny of the exploitation related to sexual behaviour. Sexual exploitation of children thus is not much debated due to the patrimonial order and its ambiguous silence on the role of the elders. Silence thus defends traumatic impact on the children. However, international political discourse and human rights paradigms have recognized the catastrophe created by sexual harassment in the day to day lives of children and how it subjects children to certain, psychological states of mind.

However, sexual harassment in schools has become an area of discussion in the ramified, post-globalized Indian media. The issues and diverse aspects of sexual exploitation of children are discussed as a part of the debates that deepen democracy. Those debates thus help to think about the rights and self-dignity of children. Those discussions thus raise larger questions related to the limits of the educational thinking and practices. It enquired whether our educational thoughts are fallacious and incompetent to address such forms of exploitation. Sexual harassment of children thus is rampant within the families to that of public spaces. Sex education and moral education are discussed within the spheres of education. However, the increase in the sexual harassment of children shows that it has not impacted much on the public conscience. However, Indian legal discourse has produced cogent understanding related to sexual harassment and it has provided valuable suggestions and legal remedies in this context.

Ministry of women and Child Development introduced “The Protection of Children from Sexual Offences or POSCO Act in the year 2012. According to this act, child is defined as a person below eighteen years of age. It addresses the “wellbeing” of the child and addresses the overall development of the child. It is concerned with the social and emotional aspects related with the lives of

children. Definition of diverse categories of sexual abuse is very much central to this act. It deals with penetrative and non-penetrative assault, pornography, sexual assault and “deems sexual assault to be “aggravated” under certain circumstances, such as when the abused child is mentally ill or when the abuse is committed by a person in a position of trust or authority vis-a-vis the child, like a family member, police officer, teacher or doctor. People who engage in trafficking children for sexual purposes are also punishable under the provisions relating to abetment in the Act. The Act prescribes stringent punishment graded as per the gravity of the offence, with a maximum term of rigorous “imprisonment for life and fine”

<http://www.ncpcr.gov.in/readhttp://www.ncpcr.gov.in/index1.php?lang=1&level=1&&sublinkid=14&lid=607>

National Commission of Protection of Child Rights under Section 44 of the Protection of Children from Sexual Offences (POSCO) Act and Rule 6 of POSCO Rules (2012) also looks into the following aspects;

1. To monitor in the implementation of Protection of Children from Sexual Offences (POSCO) Act, 2012.
2. To monitor the designation of Special Courts by State Governments
3. To monitor the appointment of Public Prosecutors by State Governments;
4. To monitor the formulation of the guidelines described in section 39 of the Act by the State Governments, for the use of non-governmental organizations, professionals and experts or persons having knowledge of psychology, social work, physical health, mental health and child development to be associated with the pre-trial and trial stage to assist the child, and to monitor the application of these guidelines;
5. To monitor the designing and implementation of modules for training police personnel and other concerned persons, including officers of the Central and State Governments, for the effective discharge of their functions under the Act;
6. To monitor and support the Central Government and State Governments for the dissemination of information relating to the provisions of the Act through media including the television, radio and print media at regular intervals, so as to make the general public, children as well as their parents and guardians aware of the provisions of the Act;
7. To call for a report on any specific case of child sexual abuse falling within the jurisdiction of a CWC;
8. To collect information and data on its own or from the relevant agencies regarding reported cases of sexual abuse and their disposal under the processes established under the Act, including information on the following:

Number and details of offences reported under the Act;

Whether the procedures prescribed under the Act and rules were followed, including those regarding timeframes;

Details of arrangements for care and protection of victims of offences under this Act, including arrangements for emergency medical care and medical examination; and

Details regarding assessment of the need for care and protection of a child by the concerned CWC in any specific case.

- 9. To assess the implementation of the provisions of the Act and to include a report in a separate chapter in its Annual Report to the Parliament.

(Cited from website of <http://www.ncpcr.gov.in/index1.php?lang=1&level=1&&sublinkid=14&lid=607>)

Therefore, it is important to introduce such debates of sexual harassment in the teaching curriculum regarding the rights and laws of children. It should be mandatory in all public and private schools. At the same time, moral education should be simultaneously taught as a compulsory subject which would cultivate values and ethics in the mindset of children for creating a healthy society.

Check Your Progress III

- 3. How can we promote gender equality in schools? Write a note about it.

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8.7 TRANSCENDING GENDER STEREOTYPES AND ENHANCING OPTIMUM POTENTIAL

Gendered understanding of schools is a shift from the sexist perceptions within the school. In other words, sexual division of categorizing pupils to that of social construction of a girl / a boy / a transgender will be a novel and positive change for education, development and democracy. Such an approach attempts to understand the multiple identities within the class room and tries to ensure the right to education of diverse students. Therefore, the division of the students based on biological markers is reactionary in every respect. To democratize the education, one needs to attempt to address the diverse identities of students. In addition to the new reading of the students on gender lines, the teaching community should generate intersectionist understanding of multiple identities based on gender, class, caste, race, and ethnicity and so on. For instance, texts books can be sites of such inclusive reading of the pluralism of the society and such an understanding of the equality of diverse voices within the educational sphere thus leads to a broadened definition of educational justice. Male socialization thus is subjected to critical analysis and teachers should introduce students to the ways in which their social locations/identities are framed to deconstruct such closed/ethnocentric educational milieu. In turn, students will be introduced to an open space of critical pedagogy which accommodates the diverse, gendered locations. Educationists should map the ideologies that

strengthen the patriarchal as well as other dominant ideologies which strengthen the oppression of women, girls and so on.

The dominant culture that legitimizes patriarchy can be subverted through introducing alternative cultural forms such as gender sensitive text books, music, performances etc among the students to inculcate a new sense of empowering education. Leadership of students needs to be free from gender stereotyping and students need to be introduced to the history of the social movements that addressed gender equality at the global and national levels. They should be made sensitive to deploy civilized language that defines gender stereotyping in the day to day school life of pupils. Construction of knowledge is usually looked at with the patriarchal eye of the society. Reading of knowledge based on male centered point of view marginalizes the location of women in the production of knowledge. Girls and their contribution to knowledge production thus is undermined in a society which positions the boy as the harbinger of fortune, knowledge and so on. Teachers need to be critical to such reactionary ideologies which highlight boys as the carriers of knowledge and do not count the immense competence and contribution of girls to diverse forms of knowledge in any society. Teachers and students need to be introduced to the larger debates on knowledge production and its linkages with patriarchy. Social locations of the knower girls have to be understood to recognize their contribution to diverse fields of society.

8.8 VISION FOR SCHOOL PRACTICING GENDER EQUALITY

A school that practices gender equality combines healthy educational theory and practice. Democracy that is key to education can only be implemented through gender equality. The social and political dimension of democracy is expanded through the recognition of gender equality. In other words, social and political inclusion of girls within the larger national/global paradigms of human rights contribute certain right and correct actions within the broad sphere of education. Educational intuitions should revisit the questions related to formal and substantive equality to have balanced, educational space. Policy regime in educational studies can bring out sensible programs to diversify the curriculum. Gender equality can be introduced through the very text/practice of the educational institutions. The space of education generally is gendered in any society that is plagued by the dominant ideology of patriarchy. For instance, boys and girls are differentiated in the allocation of space in the class room. Educational experts argue that such organizational stereotyping is patriarchal and it should be undone. In addition to that scholars have analyzed the politics of assignment culture. Scholars have analyzed that assignments are given usually in patriarchal manner. For instance, boys are taken for granted as those who can move outside the school and tackle the problems. Thus; boys are equated with certain forms of ability. On the contrary, girls are stereotyped as those who cannot cope up with the harsh realities of society. Policy makers have analyzed this understanding of the teaching community as limited and negative in understanding the capabilities of girl students. For instance, the traditional, educational sphere which is not exposed to the vibrant idea of gender equality, assigns girl students with certain stereotypical acts such as cleaning and sweeping class rooms, cooking meals in schools and so on. Progressive schools should

discard the gendered and societal stereotyping of girls and have to treat girls in an equal fashion.

8.9 LET US SUM UP

Thus, this Unit broadly discusses the gender equation in schooling. It also encourages us to think seriously about gender equality, the safety and sexual harassment of children in the school as well as educating the teachers about the rights of children such as National Commission of Protection of Child Rights under Section 44 of the Protection of Children from Sexual Offences (POSCO) Act and Rule 6 of POSCO Rules (2012) and so on. Moreover, it reflects upon the role of the teacher which can bring radical changes to break the stereotypes among students based on gender such as girls and boys, their roles in everyday life and so on. Hence, it is the responsibility of the society to assure a safe, healthy atmosphere with values and ethics in which the students can grow and live and respect each other with democratic values. This unit also talks about legal interventions and measures through Constitution for gender equality. How to promote gender equality in the classroom and teaching is one of the important aspects covered in this unit.

8.10 UNIT END QUESTIONS

1. What are the measures the school should take up to promote gender equality? Discuss with the help of a case study.
2. Discuss the various laws related to gender equality through legal process. Give an example which demonstrates gender equality.
3. Discuss the policies and programmes of Government of India to bring about gender equality after Independence.
4. Do you think teachers have a key role to play in breaking gender stereotypes? Analyze.

8.11 ANSWERS TO CHECK YOUR PROGRESS

1. Article 15: Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth. It says that
 - (1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.
 - (2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to-
 - (a) access to shops, public restaurants, hotels and places of public entertainment; or
 - (b) the use of wells, tank, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the public.
 - (3) Nothing in this article shall prevent the State from making any special provision for women and children.

- (4) Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizen or for the Scheduled Caste and the Scheduled Tribe.
2. Struggle of Trupti Desai for the right to stop the gender bias related to the temple entry is one of the most important and contemporary incidents which has foregrounded multiple dimensions of equality and faith. In other words, Trupti Desai with other activists of an organization called Bhumata Brigade decided to challenge the tradition that prevents women to enter Shani Shingnapur temple at Maharashtra. They challenged the belief that the vibrations that come from the idols, harm women and therefore women are not allowed to enter the sanctum sanctorum. Her organization was founded in the year 2010 at a village near Pune. Her organization made the decision to enter the temple by emphasizing that women and girls are not impure and therefore they will enter sanctum. Women also are the devotees of Shani and have an equal right to enter the temple.
3. Social and political dimension of democracy is expanded through the recognition of gender equality. Social and political inclusion of girls within the larger national/global paradigms of human rights contribute certain rights and correct actions within the broad sphere of education. Educational intuitions should revisit the questions related to formal and substantive equality to have balanced, educational space. Policy regime in educational studies can bring about sensible programs to diversify the curriculum. Gender equality can be introduced through the very text/practice of the educational institutions. Space of education generally is gendered in any society that is plagued by dominant ideology of patriarchy. For instance, boys and girls are differentiated via the allocation of space in the class room. Educational experts argue that such organizational stereotyping is patriarchal and it should be undone. In addition to that scholars have analyzed the politics of assignment culture. Scholars have analyzed that assignments are given usually in patriarchal manner. For instance, boys are taken for granted as those who can move outside the school and tackle the problems. Thus; boys are equated with certain form of ability. On the contrary, girls are stereotyped as those who cannot cope up with the harsh realities of society. Policy makers have analyzed this understanding of teaching community as limited and negative in understanding the capabilities of girl students. For instance, traditional, educational sphere which is not exposed to the vibrant idea of gender equality, for instance, assigns girl students with certain stereotypical acts such as cleaning and sweeping class rooms, cooking meals in schools and so on. Progressive schools must discard the gendered and societal stereotyping of girls and have to treat girls in an equal fashion.

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