

CEDAW IN INDIA: PROGRESS, CHALLENGES AND THE PATH AHEAD FOR GENDER EQUALITY

Shreeyanshi Gupta*

“The empowerment of women is an essential aspect of securing human rights. No society will prosper without tapping into the full potential of its women.”

- Mary Robinson

Equal treatment for all women continues to be a top priority for governments around the world, as stated in the Universal Declaration of Human Rights. However, for a long time, women and girls have faced societal prejudice, denying them the liberties and possibilities to which they are entitled. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) arose as a beacon of hope in the global arena with the goal of redressing this terrible injustice.

THE IMPORTANCE OF CEDAW IN A GLOBAL CONTEXT

The United Nations General Assembly passed the Convention on the Elimination of Discrimination against Women (CEDAW), frequently referred to as the International Bill of Rights for Women, in 1979, and it went into effect in 1981. The treaty shows the world's commitment to supporting female freedoms and their worth in all parts of life. CEDAW has a broad scope, addressing not only legal barriers to equality but also deeply entrenched cultural beliefs and actions that sustain gender inequalities.

ADOPTION OF CEDAW AND INDIA'S COMMITMENT

The landmark agreement was inked by India, a nation noted for its many cultures and strong governance. It adopted CEDAW on July 9, 1993, expressing its commitment to abolishing bias against women and upholding the principles of equal opportunity and equality for everyone. This adoption was a significant step toward eradicating gender disparities and strengthening the status of women in Indian country.

*BBA LLB, FOURTH YEAR, NMIMS, BANGALORE.

HISTORICAL CONTEXT: INDIA'S STRUGGLE FOR GENDER EQUALITY

Significant occurrences in history, political revolts, and legislation that have impacted women's positions and advantages in India have affected the nation's journey towards equality between men and women. This contextual viewpoint offers a comprehension of India's key successes and challenges on the path of gender equality.

1. The Origins of Women's Empowerment: The Rigveda (1500-1200 BCE) and the Manusmriti (about 200 BCE) are two texts that contain references to women's learning and involvement in different parts of life. It is critical to recognize that, although ancient India had some progressive characteristics, it also had some regressive behaviours and patriarchal standards.

2. Legacy of Colonialism and Economic Revolution Movements: During the colonial period, Western notions of justice and rights for women expanded, affecting Indian society. During the nineteenth century, social reform movements brought women's issues to the forefront. Women's education and social equality were championed by pioneering reformers such as Raja Ram Mohan Roy, Ishwar Chandra Vidyasagar, and Jyotirao Phule.

3. Gender Equality and Independence: Women had an important role in the Indian independence struggle, which was headed by Mahatma Gandhi and others. The battle for freedom also brought to the forefront topics like voting for women, education, and economic independence. This time established the groundwork for post-independence reforms.

4. Judicial and Policy Developments Pre-CEDAW: Several major legislative and policy accomplishments linked to women's rights were achieved before India ratified CEDAW in 1993:

- The Hindu Succession Act (1956): This statute significantly altered Hindu women's inheritance and property rights.
- The Dowry Prohibition Act of 1961 was an important milestone toward tackling the problem of dowry-related harassment and assault.
- The Equal Remuneration Act of 1976 attempted to eradicate gender wage discrimination.
- The National Commission for Women Act of 1990 created the National Commission for Women to promote and safeguard the rights of women.

5. Ratification and Impact of CEDAW: In 1993, India adopted CEDAW, showing its dedication to achieving gender parity on a worldwide scale. This ratification re-emphasized the importance of enacting gender-sensitive policies and regulations.

6. Legislative Changes after CEDAW: After adhering to CEDAW, India has continued to implement legislative changes to promote women's rights. Two significant examples are the Protection of Women from Domestic Violence Act (2005) and amendments to the Maternity Benefit Act (2017) to boost maternity leave options.

7. Example Investigations:

- **Female Panchayat Engagement:** The 73rd and 74th Amendments to the Indian Constitution, ratified in the early 1990s, allocated a third of the members in municipal government organizations for women. It resulted in greater female representation at the local level of making choices.
- **Women in the Military Facilities:** Recent modifications to the policy have boosted the number of opportunities for women to serve in combat roles in the Indian armed forces, breaking down long-held gender prejudices.
- **Legislative assistance and knowledge Efforts:** Several initiatives have been launched to provide legal assistance and enhance knowledge of the rights of women, leading to a better understanding of judicial solutions for gender-specific difficulties.

CONSTANT ISSUES AND DIFFICULTIES Journal of Legal Research and Juridical Sciences

While India has made significant progress in the area of the rights of women and equal treatment, it still faces a number of hurdles and impediments that prevent the complete fulfillment of gender equity. Recognizing the complicated nature of the Indian setting and the effort that needs to be performed to attain full gender equality requires an examination of these obstacles.

1. Abuse against Women:

Domestic Violence: Domestic violence is still a widespread problem in India. Despite legal protections such as the Protection of Women from Domestic Violence Act (2005), many women are still subjected to physical, emotional, and financial violence in their homes.

Sexual Violence: High-profile examples of sexual assault towards women, such as rape and sexual harassment, have drawn attention to the issue. These incidents highlight the critical need for stronger security precautions along with successful legal enforcement.

2. Unequal Educational Access:

Gender Disparities in Reading: Gender inequalities in literacy rates remain, with women frequently having lower literacy rates than males, particularly in rural areas.

Barriers to Higher Education: Due to cultural norms and worries about women's safety, female access to higher learning is limited in several places.

3. Unequal Healthcare Access:

Maternity Health: Mortality among mothers is an issue, with many women unable to receive excellent maternal healthcare.

Malnutrition is an important problem for women and girls, particularly in rural regions.

4. Gender Wage Disparity:

Inequality Compensation for Equal Work: In India, a gender disparity in wages persists, with women frequently getting lower salaries than men for identical work.

5. Racism Based on Cultural Norms:

Son Preference: In some areas, a cultural preference for sons has resulted in abortions that are sex-selective and a skewed sex ratio.

Despite legislative bans, child marriage continues to occur in many places in India, affecting the daily lives and future of young girls.

Stereotypes and Gender Roles: Gender stereotypes and traditional gender roles persist in restricting female options and possibilities, promoting conventions that perpetuate discrimination.

6. Political Participation Barriers: While India has made gains in encouraging females to vote, women continue to be underrepresented in elected posts at different tiers of governance.

Access to options: When contrasted to their urban counterparts, rural women frequently have fewer options for education, work, and healthcare.

INTERNATIONAL COLLABORATIONS AND PARTNERSHIPS

India participates extensively in global organizations, non-governmental organizations (NGOs), and worldwide projects promoting the rights of women and equal treatment. Since it enables the sharing of thoughts, efficient procedures, and assets, this global partnership is critical in fostering gender parity and female empowerment. Here's a more in-depth look at India's engagement in these collaborations:

1. United Nations (UN) and United Nations Women: India is a United Nations member country that has taken part in numerous UN conferences and activities with the goal of achieving gender parity. UN Women, the United Nations agency devoted to achieving gender parity and empowering females, works with the Indian government and civil society to execute initiatives and initiatives targeting the rights of females, violence based on gender, and achieving financial independence for women. India has backed the United Nations' Sustainable Development Goals (SDGs), particularly Goal 5, which focuses on achieving gender parity and the self-determination of all women and girls.

2. International Female Movements and Forums: India engages in global women's movements through participating in international women's rights conferences and events. Participating in conferences such as the UN Commission on the Status of Women (CSW) allows India to express its knowledge, difficulties, and successes in advancing gender parity on a global scale. India has held worldwide events focusing on female economic empowerment and business acumen, such as the Global Entrepreneurship Summit.

3. Bilateral Treaties: India has signed bilateral treaties and formed alliances with other nations to work on equality for women and girls projects. These contracts may include sharing of expertise, building capacity, and collaborative projects to advance gender parity.

4. Civil Society and Non-Governmental Organizations (NGOs): To tackle problems associated with gender, India's robust civil society, which includes various NGOs and rights for women groups, actively interacts with international NGOs and agencies. Partnerships like these frequently entail program implementation, lobbying, and research. Regional and worldwide non-governmental organizations (NGOs) played an important role in improving

women's rights and promoting gender equality, collaborating directly with the community to tackle particular gender-related concerns.

5. International Projects and Campaigns: India encourages and takes part in worldwide efforts such as HeForShe, a UN Women program that involves men and boys in the advancement of gender parity. These initiatives increase worldwide knowledge and rally support for equal rights for women.

The significance of Global Cooperation:

Global cooperation and partnerships are important in advancing gender parity for various reasons:

Collaboration with foreign organizations and non-governmental organizations (NGOs) allows India to tap from international knowledge, studies, and standards of excellence, strengthening its own attempts to improve gender equality.

Sharing of Resources: International collaborations frequently involve the sharing of resources, which can include finance, technical help, and the provision of instructional materials and tools.

Activism and Network: These collaborations provide possibilities for worldwide networking and advocacy, increasing India's voice in campaigning for gender equality.

Collaborations allow India to benefit from the knowledge of other nations and areas, gaining insights into creative techniques and tactics to address gender-related concerns.

Communal Effect: By participating in global projects and actions, India forms part of a wider global effort to tackle gender disparities, which has a greater impact and opens the door for progressive change.

India's participation in worldwide cooperation and partnerships demonstrates its commitment to furthering gender equality and the rights of women on a global scale. These collaborations promote the interchange of ideas, resources, and experiences, resulting in a society with greater gender equality within and beyond India's boundaries.

THE PATH AHEAD: STRATEGIES AND REFORMS FOR ADVANCING GENDER EQUALITY IN INDIA

Though India has taken considerable strides in fostering gender parity, important obstacles remain. A variety of methods, changes, and activities are required to continue improving gender equality. Those actions that are required are discussed in detail below:

1. Education and Public Awareness:

Educational Reform: The system of education ought to undergo a major change that involves a gendered-sensitive curriculum that challenges prejudices & encourages equality between men and women. This reform should not just address content but also methods of instruction and culture in schools. Launch widespread awareness programs that challenge deeply ingrained gendered assumptions and prejudices. These initiatives should include the media, educational institutions, and community organizations and ought to target rural as well as urban areas.

2. Legal Changes:

Enhance Enforcement: Increase the enforcement of current gender-related laws, like the Protection of Women from Domestic Violence Act and propose greater penalties for violators.

Gendered Wage Gap: Reduce a gender wage gap by mandating equal compensation for equivalent labour, encouraging wage openness, and holding businesses responsible for women-based pay inequities.

3. Economic Emancipation:

Worker involvement: Increase women's labour-force involvement through customized programs that offer monetary rewards to companies that employ women and assistance for women-led businesses.

Entrepreneurship: Provide women entrepreneurs with finance, training, and resources to help them establish and scale their firms.

4. Accessibility to Healthcare:

Enhance access to high-quality maternity medical care, particularly in rural areas. This should include programs to raise awareness about maternity nutrition and health.

Promote and safeguard rights related to reproduction, providing that women possess the freedom to make informed decisions about their bodies.

5. Participation in Politics:

Qualification System: Strive efforts to encourage women's political involvement at all levels of government through reservation systems. Push political groups to put women forward for critical posts.

Support programs for leadership development that prepare women for taking on positions of authority in both politics and decision-making.

6. Cultural Transformation:

Engage the news and entertainment sectors in order to present greater gender-equitable storylines and role models. Harmful prejudices in media content must be challenged.

Develop grassroots initiatives that include neighbourhood leaders and personalities to advocate gender parity while highlighting the positive effects of such a shift for the entire community.

7. Statistics and study:

Gender-Disaggregated Data: Engage in gender-disaggregated data gathering in order to comprehend the specific needs and inequities experienced by women and girls. Use this information to guide policy and track success.

Support research efforts that investigate gender-related issues, assisting in the identification of effective solutions and the evaluation of policy effectiveness.

8. International Cooperation:

Strengthen international alliances and collaborations to harness worldwide expertise, experience, and resources in the promotion of gender equality. Engage proactively in global women's rights and gender equality forums.

If followed jointly and with devotion, these initiatives and reforms may improve gender parity in India. They address the many difficulties that women and girls face and lay the groundwork for a more equal and inclusive society. While change will not occur quickly, these initiatives offer India a route to a more promising and gender-equal future.

CONCLUSION, THERE IS A CALL TO ACTION

Finally, 'CEDAW in India: Progress, Challenges, and the Path Ahead for Gender Equality' highlights India's tremendous progress in aligning its legal structure as well as its laws with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). These initiatives have resulted in beneficial outcomes such as legislative improvements, enhanced female empowerment in numerous industries, and increased international cooperation. The piece does, however, emphasize persisting issues such as violence against women, uneven availability of education and healthcare, and social norms that perpetuate prejudice. Gender equality is emphasized in the call to action as a fundamental human right and an essential component of India's continued advancement and economic growth.

Government officials, activists, and citizens must work together to put the suggested regulations and reforms into action, resulting in a more inclusive and equitable society in which everyone, irrespective of gender, can fully fulfill their capabilities while living with their rights and dignity protected.

Going ahead, it is critical that the nation maintain its commitment to CEDAW principles and actively resolve the remaining roadblocks to gender equality. The transformative potential of these activities will benefit not only women but also the country as a whole. India has the potential to be a shining beacon of development and equity, where every individual can thrive while contributing to the success of the country.

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