



Discrimination faced by a girl child in the 21st century in India

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ABSTRACT

There is a fast growing notion that stereotypes feminism as misogyny and advocates that men are unfairly portrayed as the superior gender. Through this paper, case studies, evidence, and facts have been provided discussing the prevalent gender stereotypes and norms along with the gender specific crime rates. The paper has taken India as its object of study and found statistics all based on the current timeline of the 21st century to highlight these facts. It aims to prove that acceptance of equality in the face of adversity and obvious discrimination puts centuries of struggle by women on the back foot, and that the growing norm is in fact false under the discussed parameters.

Keywords: Gender Bias, Discrimination, Indian Norms, 21st Century, Gender-Based Crime Rates, Domestic Violence, Female Infanticide, Feminism, Misogyny, Chauvinism, Gender As An Identity, Stereotypes

1. DISCRIMINATION FACED BY A GIRL CHILD IN THE 21ST CENTURY IN INDIA

We are currently in an age of modernization and rapid growth, with astounding technological developments and medicinal breakthroughs across the world. In this age, it is evident that our society has also evolved from a conservative system that held multiple universally accepted stereotypes and widespread discriminatory practices on the basis of caste, race, region, gender etc. to one where human dignity, fundamental rights and equality have prevailed not only as an accepted necessity but also legally enforced for the benefit of the people. Gender inequality has been an issue rooted into most cultural paradigms of the world, but after three strong waves of feminism one has seen these norms change drastically. The first wave, occurring in the 19th and early 20th century, was mainly concerned with women's right to vote. The second wave, at its height in the 1960s and 1970s, refers to the women's liberation movement for equal legal and social rights. The third wave, beginning in the 1990s, refers to a continuation of, and a reaction to, second-wave feminism. Women have come a long way today, into being integrated as an equal part of society. There are multiple case studies that prove that the 'glass-ceiling' has indeed been broken and females are not merely confined to four walls of a household. People such as Hima Das, Hina Jaiswal, Gagandeep Kang, and Nirmala Sitharaman hold testimony to the advancing mindsets of a culturally conservative India. However, these achievements cannot be equated with complete eradication of a sexist mindset in people, and should not undermine the efforts of millions of women still suffering because of the social paradigms in societies.

2. REASONS FOR SELECTION OF THE TOPIC

Very recently, a three part video made by a teenager called 'Divyanana Trivedi' went viral across social media. The video named 'Why I am against Today's Feminism' insulted the current feminist movement in India, conveniently mistaking them for misogynists. She made unbelievable claims such as 'Even the rural girl child today can dream of equal education' and that today's feminism is striving for female supremacy, which undermined the struggle of women across the nation who have been striving for equality amongst a community that punishes them for not being a male member. While I expected this video to be immediately labelled as misinformed and ignorant, I was surprised at the kind of support it received from boys and girls alike across the youth of the nation. A few days later, one of my closest friends was forced to change homes in the midst of a nationwide lockdown after she lodged a complaint for physical and sexual assault against her step father, a person she trusted and knew closely. Despite having read of these instances in newspapers regularly, seeing someone I knew go through this and the subsequent emotional toll the family experienced after the incident shattered my belief system to the core and made me question male entitlement amongst society. This further got me thinking of the prevalent disregard of feminists and the accepted 'sexist' jokes for the sake of humour that are still prevalent across our own educated and young generation. People who honestly believe that feminism strives for 'female superiority' and that the 21st century has managed to attain general equality are increasing by the day, and this mindset can have catastrophic results for societal growth as a whole, since these individuals are not only failing to recognise the problem at hand, but also putting men on a pedestal as victims to 'aggressive and power hungry feminism'. Through the following research paper I hope to find insight into these questions regarding **female equality** and the steps taken and which further need to be taken to ensure a just social paradigm.

3. RESEARCH QUESTION

'Is **patriarchy** a thing of the past, rendering gender discrimination against a girl child in the 21st century non-existent in India?'

4. HYPOTHESIS

Through the course of this paper, I have tried to gather evidence, statistics, case studies and general insight regarding girl child discrimination and gender specific crimes still prevalent in the 21st century in a world that still remains majorly patriarchal despite its various developments and advances in different fields, thus making modern feminism not only important, but in fact fundamental for society to grow as per the upcoming understanding. The paper takes India as the focal point of its research and bases all its evidences in the 21st century to inquire into the increasingly widespread norm that gender discrimination is a thing of the past.

5. GENDER AS AN IDENTITY

"Boys don't cry", "Don't fight like a girl", "Be a man", "Boys will be boys". Phrases such as these are some amongst many, that most people across India have grown up listening to, and although they seem mostly harmless, these have lasting impressions upon the individual at young ages. Gender Identity is our internal experience that corresponds to or differs from the sex we were assigned at birth. Individuals do not choose their gender, however, it forms a core aspect of one's identity and make-up. If one gender is continuously associated as superior or inferior based on their gender, implicitly or explicitly, it comes associate lifelong thought processes.

India supports a plural or heterogeneous society consisting of numerous stratifications based on religion, caste and class. Dual structures of law exist side by side, the religious sanctions condoned against constitutional ones. Yet one finds that preference for sons runs high amongst all religious groups and social classes. This preference is due to shared civilization patterns on the Indian subcontinent and the underlying principle of a patrilocal, patrilineal and patriarchal society. Women in such societies always occupy a low status and are neglected. As women are considered a burden, female infant mortality exceeds that of males, notwithstanding the fact that a female child is biologically stronger at birth. A girl faces deprivation throughout her life. Preference for sons is obvious from the brutal traditions that are prevalent in India. Feminism as a concept as well as an ideology continues to be misinterpreted and stereotyped. Women themselves continue self-stereotyping and justify the patriarchal structures that continue to oppress and marginalise several sections of the society, including women. For instance, the existing gender-stereotype that women are not as intelligent as men might lead one woman to believe that she is actually intellectually inferior to any man. This then translates to women not being as outspoken, second-guessing their opinions, not being confident in interpersonal communication etc. at workplace.

Indian women collectively resonated with feminism not even a decade back from now because of the orthodox system of patriarchy we still believe in. The *#MeToo* movement was a chance for women who could access both technology and social media to talk about sexual harassment, which is only one of the swarming issues that we have left to address. We have riot-based sexual violence, caste-based harassment, virginity tests, period poverty, infibulation, infertility stigma and vaginal mutilation to name a few issues. Because of the cultural, linguistic and religious diversity of India, every sect comes up with a different form of prejudice. This is just one of many examples regarding viewpoints and biases of one's gender identity.

6. EVIDENCE AND STATISTICS

In India, although in general, couples with children have a lower risk of divorce than do childless couples, the stabilizing effect of marriage may depend on the children's gender. A recent survey in some states across India regarding sex ratios gave way to some horrific statistics.

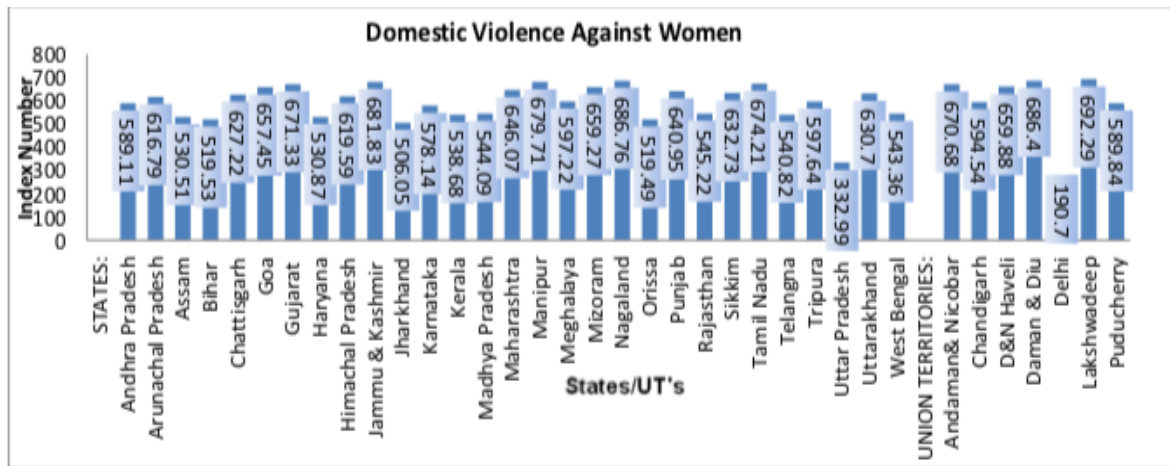
State	Rural	Urban
Bihar	938	912
Rajasthan	892	874
Uttar Pradesh	906	885
Haryana	835	832
Punjab	844	852

Source: Census 2011

State wise Comparison of Sex Ratio in India

Uttar Pradesh (29.7 million), Bihar (18.6 million) and Maharashtra (12.8 million), Madhya Pradesh (10.5 million) and Rajasthan (10.5 million) have the largest number of children constituting 52% children in the age group 0-6 years. (Census, 2011) As per census 2011, the State/ UTs with alarmingly low child sex ratio (<900) in the age group 0-6 years are, Haryana (830), Punjab (846), Jammu & Kashmir (859), Delhi (866), Chandigarh (867), Rajasthan (883), Maharashtra (883), Uttarakhand (886), Gujarat (886), Uttar Pradesh (899). The State/ UTs which have better child sex ratio (>=950) are Mizoram, (971), Meghalaya (970), A & N Islands (966), Puducherry (965), Chhattisgarh (964), Arunachal Pradesh (960), Kerala (959), Assam (957), Tripura (953), West Bengal (950). Top three states recording the highest value of sex ratio are from the southern part of India, namely Kerala (1084), Tamil Nadu (995) and Andhra Pradesh (992). The data shows the structural difference of sex disparity. If we compare sex ratio between rural and urban areas of all the states, then it is observed that sex ratio is better in rural areas compared to urban areas. The **sex ratio** is the **ratio** of males to females in a population. In most sexually reproducing species, the **ratio** tends to be 1:1 unless otherwise meddled with. These Indian states have amongst the lowest sex ratios in the world. Most other Indian states as well have in fact had a negative growth from the 2001 census which is more prominent in the northern states. Surprisingly, the wealthier section such as urban areas seem to have a lower sex ratio than rural areas in most cases.

Gender based violence is another serious issue Indian society faces. The following survey showcases the devastating numbers of violence against women.



A Thomson Reuters Foundation expert poll regarding the most dangerous country for women in the world found India at number one, regarding cumulative statistics for healthcare, discrimination, cultural traditions, sexual and non-sexual violence and human trafficking.

The Economic Survey of 2018 refers to India’s son preference as a deeply rooted, normalized difference in treatment of girls and boys. Supporting that statement, these statistics showcase that girl child discrimination is prevalent under all economic backgrounds, ages and class of people and that gender specific crimes are frequent and widespread.

7. CASE STUDY- STORY OF FEMALE INFANTICIDE

On May 26,2020, T. Chitra returned home to find her four year old baby girl was no more. She was told by her mother-in-law that she had fed her fourth girl child donkey’s milk and that it has not gone well with the child. The child’s mouth was frothing, and in a couple of minutes, the child was dead. She performed a funeral alongside her husband who is a travel agent and her mother-in-law who runs a shop. However, soon the police came home and exhumed the body and began arrests. A police officer investigating the case says both the mother-in-law and son confessed to killing the child. “Our investigation established that it was a clear case of female infanticide. The child’s mother, however, initially thought that it was death due to asphyxiation,” he said. “Everything seemed normal until that day. I still fail to believe that my husband had something to do with the death,” says Chitra as she looks at the arduous job of raising three other girls all on her own.

8. CASE STUDY- DOMESTIC VIOLENCE IN INDIA

Domestic violence is any act which harms or endangers the health, safety, life, limb, or wellbeing (mental or physical) of the victim, or tends to do so, and includes causing: physical abuse, sexual abuse, verbal abuse, emotional abuse, and economic abuse. At times like these, victims need to be aware of their rights and the laws regarding abuse.

8.1 Statistics

- One out of three women in India are facing the problem of physical/sexual abuse.
- 31.1% of married women aged 15-49 years experienced spousal violence at least once in their lives.
- About 86% women who experienced violence never sought help, and 77% of the victims did not even mention the incident(s) to anyone
- Every year, as many as 275 million children worldwide become caught in the crossfire of domestic violence and suffer the full consequences of a turbulent home life.
- The number of complaints of domestic abuse has risen by 53% in the first week of the lockdown (March 23- April 1) in India.

8.2 Suggested steps to be taken

- The victim should approach the police for help or to seek the help of a Protection Officer, appointed by the government to assist victims of domestic violence. They can also file a complaint before the Magistrate’s Court, a Family Court or the District Court within the jurisdiction of where the act(s) of domestic violence have taken place or where they reside.
- One should keep in mind that the police are duty-bound to register an F.I.R. even if it doesn’t fall within their territorial jurisdiction. After recording an F.I.R., the police authorities may transfer it to the police station under the proper jurisdiction. However, if they fail to do so, you can approach the court having jurisdiction over the particular police station where the F.I.R. has been recorded.
- Once a complaint is lodged, notices are issued to the aggressor(s) and after hearing them, necessary orders and directions are passed by the Court. The Protection Officer and the court take steps to prevent any further acts of domestic violence and to ensure the safety and wellbeing of the victim concerned.# It is not common knowledge that the victim need not move out of the house and, in fact, can even get a protection order from the court barring the aggressor from dis-housing her. In some cases, the court has even directed the aggressor to move out of the house irrespective of who owns it. The aggressor can be directed to pay for medical expenses. We know that Acts of domestic violence are seldom committed in public view or in broad daylight.

However, if a victim's testimony and the evidence before the authorities stand the test of cross-examination, it is ideally sufficient proof of an act(s) of domestic violence in most cases.

- Once a person is charged with domestic violence, he or she is usually subjected to a protective order being placed on the reset of the family or those residing in the same household. If the court ordered protection order is violated, new charges are often the outcome.
- While talking to a lawyer, it is best to provide any and all possible favorable information that may be used in negotiations. This could include any violent history the victim has against the defendant, false accusations that were made by the alleged victim, psychological illnesses or drug addictions and other similar behaviors that may explain the events in a different context. # In some cases, false accusations may have been lodged against the defendant. It is vital to know about these concerns immediately to defend against them. Any additional information that has not been shared up to this point should be explained to legal counsel to ensure a better outcome.
- Many times, the first attempt is always to save the marriage, as the solution to domestic violence is not always separation. Yet this decision is in the hands of the wife, if she believes she does not want to stay with her husband then she is not obliged to go through counseling

8.3 Some Laws

- Section 498A of the Indian Penal Code protects women against mental or physical abuse, which covers any and all wilful conducts against a woman which drive the woman to commit suicide or grave injury or risk to life, limb or overall mental and physical health of the woman.
- Protection of Women against Domestic Violence Act (2005), protects women, helps women, and also provides safety to women economically, physically and mentally. When a woman files an FIR against her abuser, she gets immediate help from the police and there is no delay in nabbing the criminal.
- Commissions for Protection of Child Rights (CPCR) Act, 2005 has formed special cells in schools to solve problems of children. The cell will examine the mental and physical torture against children. Complaints regarding sexual harassment mental harassment, favoritism etc. should be informed to the Taluk/District Legal Services Authority within 48 hours

8.4 Helpline Numbers

- Domestic abuse: 181
- Police: 100
- Jagori: (011) 26692700
- Joint Women's Programme: (001) 24619821
- Abhay Helpline: (+91) 9423927818
- Red Dot: weftinfo@gmail.com

8.5 Conclusion

Shattering the silence that surrounds domestic violence is key to ending violent behaviour . If you or anyone you know is going through domestic abuse and are subject to physical or sexual assault, kindly use these resources and stand up against your molester.

9. LAWS AND SUGGESTED REGULATIONS

The government has put laws such as:

- International Covenant on Civil and Political Rights, Economic, Social and Cultural Rights
- The Convention on the Elimination of All Forms of Discrimination against Women
- The International Convention on the Elimination of All Forms of Racial Discrimination
- The Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities.

At the national level, laws and policies have been put in place to prevent and respond to violence against women. While the under-reporting of GBV has been a major obstacle in the path of eradication of this social evil and achieving equality, legislation exists in the nation to support women and the other genders who seek assistance.

However, the increasing frequency of gory cases that are reported or sometimes not reported by the media, depicts the barbaric mentality of revenge against women and girls, which also safeguard harmful traditional and patriarchal norms. The persistence of harmful practices, pervasive gender stereotypes and deeply entrenched patriarchal social and cultural norms is a serious concern. Without a comprehensive effort to address issues around objectification of women and her treatment as the "weaker sex", in schools or university, at work, in the family, in the community and in print and electronic media, the elimination of violence against women remains a challenge.

10. INFERENCES AND CONCLUSION

The existing evidence makes it extremely clear, that despite having reached epitomes of advancement and development in space exploration and international fame, there exists a massive intellectual gap even amongst the educated members of society that makes India the most dangerous country for women on the planet by and making half its population suffer. 2020 is experiencing a parallel pandemic of increasing domestic abuse as victims are trapped in houses amid the lockdown. The talk of equality although far closer now than before, is still a very distant reality. Discrimination is prevalent in its rubric and most basic form in rural areas where it is evident, but this is also the case with more advanced and educated communities in several practices and customs. Being a female child is still a curse in India, and patriarchy stays embedded in fundamental tasks and customs amongst religions,

castes and economic groups and classes. Modern feminism is stereotyped and labelled as misogynistic, but remains an important characteristic and a symbol of strength and struggle of women across the world. Misogyny although misguided is only a logical and inevitable extremist view after centuries of suffering amongst women as a community. Multiple laws are in place regarding women rights, however the current statistics easily prove that they have not in the least stopped the offenders and managed to decrease male ego and entitlement in society. Domestic violence continues to be a major problem faced by the entire community. Awareness of various rights and judicial help that women can reach out for has to be promoted in order to successfully safeguard one's interests. The mindset and thinking of the people needs to change at the very rubric level for this enforced equality to actually become a reality where one does not hear horror stories regarding gender related discrimination and crimes each day. Patriarchal communities are few, and while one must acknowledge that people are changing as individuals, as a whole this claim does not stand true especially when women themselves self-stereotype their gender. More laws need to be made while the existing ones need to be effectively enforced for the judiciary to ensure justice. The change starts with every member of society as they effectively persuade their fathers, uncles, brothers, sons, husbands and friends to respect women and change their misinformed perceptions of gender identity in order to ensure a future where equality, a fundamental right provided by the constitution, can become a reality.

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