

FEMINISM vs. MENINISM: THE LOST GENDER EQUALITY IN INDIA

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PROLOGUE

*Gender equality starts from a home, your way of treating another gender,
Will be the way of your coming generations.¹*

Abstract

Feminism is all about quality of men, women and the sameness these genders have. There are so many people that offer up the argument that women are not the same as men so there can never be equality; they basically think that the physical difference among men and women does not make them equal. The issue that the researcher is concerned about firstly is the equal rights and equal access to opportunities. Men and women do not have to be physically similar to have equality, which is the human right of every human. Secondly, the hyper feminism that have been created by stereotype feminists, have downgraded the masculine gender to a larger extent which in return had led to the development of so called Meninism, a defense terminology created by the masculine victims.

Meninism, is a term used which has been developed to describe various groups including the men's rights movement and male feminists. It is sometimes used sincerely to challenge social issues faced by men, or used satirically or semi- satirically as a word play on feminism. The emergence of #METOO movement which is hyped by the elite society that basically the celebrities in India, degraded the career of famous masculine celebrities so as to gain publicity. The feminist movement has affected change in the Indian society.

Gender equality which means fairness of treatment for men and women, is the goal set by the constitution, both Gender neutrality and Gender equity are practices and ways of thinking that helps achieving the goal of equality in the society.

This thought seeks to analyze and describe the ways in which literature portrays and narrates the wrongful idea of feminists by exploring economic, social, political and psychological forces embedded in the society.

The goal here of the researcher is to sketch some of the central uses of the terms like feminism and meninism that are most relevant to those interested in contemporary feminist philosophy, through this way of thinking and criticizing works of stereotype feminists can bring change the way in the perspective of the society and in the betterment of the masculine gender. To fill this vacuum, through this paper, the researcher aims to uncover possibilities for future digital feminist activism to promote effective social change.

KEYWORDS: Gender Neutrality, Feminism, Meninism , #METOO and #YOUTOO

INTRODUCTION

"Freedom and equality are foundational values that we draw upon when envisioning a better society. Equality of opportunity is a social ideal that combines concern with freedom and equality, and this social ideal provides a vision of how we ought to live together."

PROLOGUE

We, each and every one of us, need to rethink our prejudiced notions of gender-based roles, so that we may realize a society where men and women can participate together in politics, at the workplace and at home, and lead exciting and fulfilling lives. So this chapter deals with the general concept revolving around the concept of gender equality.

¹ M.G.Valiluilis, 1937, 'The making of inequality', 10th, New York.

1.1 SOCIETY

A society is a number of persons united together by mutual consent, in order to deliberate, determine, and act jointly for some common purpose. Societies are either incorporated and known to the law, or unincorporated, of which the law does not generally take notice.

Society and its development depends on the Law. Law and society studies address the mutual relationship between law and society with its different actors, institutions, and processes. Law is created and put into practice through societal processes. Simultaneously law effects and affects social change. Law and society studies represent a multi- and interdisciplinary field.²

- SOCIOLOGICAL JURISPRUDENCE

"A desire for an ideal relation among men which we call justice leads to thinking in terms of an achieved ideal relation rather than of means of achieving it."

- **Roscoe Pound**

The sociological school's idea of law is a continuation of this persistent process of enquiry into the origin of law as begun by the Historical School. This view of the sociological school is in tandem with the knowledge of law with regard to society: what it is doing; what it has done; and what it is expected to be doing.

Sociological approach to the study of law towards the end of the 19th century did not emerge in isolation. It was a reaction against the formal and barren approach of the analytical jurists and the pessimistic approach of the historical jurists.³ There are various approaches appeared as a clog in the way of legal reform, social change and economic justice.

1.2 GENDER & ITS VARIOUS ASPECTS

Gender tends to denote the social and cultural role of each sex within a given society. Rather than being purely assigned by genetics, as sex differences generally are, people often develop their gender roles in response to their environment, including family interactions, the media, Gender is the range of characteristics pertaining to, and differentiating between, masculinity and femininity. Some societies have specific genders besides man and woman, such as the third genders.

The World Health Organization (WHO) defines gender as:

*"Gender refers to the socially constructed characteristics of women and men, such as norms, roles, and relationships of and between groups of women and men. It varies from society to society and can be changed."*⁴

Gender roles refer to social and behavioral norms that, within a specific culture, are widely considered to be socially appropriate for individuals of a specific gender.⁵ Before understanding the concept of Feminism and Meninism lets discuss some important termininologies revolving around the concept of Gender-

- GENDER STEREOTYPES

Gender stereotypes are preconceived ideas whereby males and females are arbitrarily assigned characteristics and roles determined and limited by their sex. Gender stereotyping can limit the development of the natural talents and abilities of women and men, their educational and professional experiences as well as life

² Oxford Bibliographies article Sociology of Law by Mathieu Deflem, Retrieved on 8.04.2019 from www.sociologicaljuris.bio.com 12:10 pm

³https://uk.sagepub.com/sites/default/files/upm-binaries/86864_Ch_1.pdf , Retrieved on 20.04.2019 at 11:20Am

⁴ Gender Equality and politics by PrakashJha, Retrieved on 5.2.2019 from <https://www.who.int/gender-equity-rights/understanding/gender-definition/en/> at 11:20Am

⁵Gender law and Jurisprudence by Joana Cristiano, Yale University Retrieved on 4.6.2019 from at 11:20Am https://www.researchgate.net/publication/318403390_Gender_Law_and_Jurisprudence.

opportunities in general Stereotypes about women both result from and are the cause of deeply engrained attitudes, values, norms and prejudices against women⁶.

- GENDER BALANCING

Gender balance is commonly used in reference to human resources and equal participation of women and men in all areas of work, projects or programmes. In a scenario of gender equality, women and men are expected to participate proportionally to their shares in the population. In many areas, however, women participate less than what was expected based on the sex distribution in the population while men participate more than expected.⁷

- GENDER JUSTICE

Gender inequality is the most serious and pervasive form of discrimination in the world. While this affects everyone, it is women and girls who face the most discrimination as a result of gender inequality.⁸ With the establishment of National and State Human Right Commissions and National Commission for Women, gender issues are receiving greater attention. In *Air India vNargeshMirza*⁹, the Supreme Court struck down the provision of rules which stipulated termination of service of an air hostess on her first pregnancy as it arbitrary and abhorrent to the notions of a civilized society. Gender Justice as the full equality and equity between women and men in all spheres of life, resulting in women jointly, and on an equal basis with men, defining and shaping the policies, structures and decisions that affect their lives and society as a whole.

Gender Justice, simply put refers to equality between the sexes. Gender justice is a correlation of social, economic, political, environmental, cultural and educational factors, these preconditions need to be satisfied for achieving gender justice.¹⁰ Globally, gender justice as a cause has gained in strength over the years, as it has been realised that no state can truly progress if half of its population is held back.

- GENDER EQUALITY

This refers to the equal rights, responsibilities and opportunities of women and men and girls and boys. Equality does not mean that women and men will become the same but that women's and men's rights, responsibilities and opportunities will not depend on whether they are born male or female. Gender equality implies that the interests, needs and priorities of both women and men are taken into consideration, recognizing the diversity of different groups of women and men.

S.No.	GENDER EQUALITY	GENDER EQUITY
1	<p>The state or condition that affords women and men equal enjoyment of human rights, socially valued goods, opportunities and resources, allowing both sexes the same opportunities and potential to contribute to, and benefit from, all spheres of society including economic, political, social, and cultural.</p> <p>United Nations Educational, Scientific and Cultural Organization, gender equality, does not mean that women and men have to become the same, but that their rights, responsibilities, and opportunities will not depend on whether</p>	<p>Justice and fairness in the treatment of women and men in order to eventually achieve gender equality. Fairness of treatment for men and women according to their respective needs. This may include equal treatment or treatment that is different but which is considered equivalent in terms of rights, benefits, obligations, and opportunities.</p> <p>Gender equity means fairness of treatment for men and women according to their respective needs. This may include equal treatment or treatment that is different but which is considered equivalent in terms of rights, benefits, obligations, and opportunities.</p>

⁶ Personal Laws in India, Recincilling Diversity with Gender Justice by Tamanna Khosla, Vitasta Publication, Retrieved on 10.6.2019, at 03:20m

⁷ ANTYAJAA: Indian Journal of Women and Social Change, by Akash Prakash Retrieved on 30.5.2019 from Allahabad Law Publication-Ed 22, at 06:20Am

⁸ Supra 11 Retrieved on 10.6.2019, at 09:30Am

⁹ Air India Etc. Etc vs Nergesh Meerza & Ors. Etc. 1981 AIR 1829, 1982 SCR (1) 438 Retrieved on 10.6.2019 from www.indiankanoon.com, at 08:10Pm

¹⁰ Power, Voice and Rights 2010, Asia Pacific Human Development Report, UNDP, Retrieved on 11.06.2019 from www.undp.com, at 04:20Pm

they were born as male or female.

- 2 Example: A family has limited funds, and both daughter and son need new pair of shoes for the new school year, but only one can get new shoes this year. If the family decides which child will get the new shoes based on the child's need, and not on the child's sex.
- Example: Provision of leadership training for women or establishing quotas for women in decision-making positions in order to achieve the state of gender equity.

Equity leads to equality! Equity means that there is a need to continue taking differential actions to address historical inequality among men and women and achieve gender equality!

- JUDICIAL APPROACH TOWARDS ACCEPTANCE OF GENDER

The Supreme Court rulings on Section 377 (*Naz Foundation vs. Government of NCT of Delhi and Others*¹¹ & *Suresh Kumar Koushal and another vs. NAZ Foundation and Others*¹²) and transgender right document confusion of notion inside the judiciary. The conflicting judgments of the courtroom on homosexuality seen at the side of its enlightened ruling on transgender rights probable displays a sluggish evolution of liberal notion within higher Indian judiciary.

The landmark judgment of the Delhi excessive court, which declared that Section 377 of the Indian Penal Code violates fundamental rights guaranteed by way of the Constitution, became consistent with worldwide, human rights and secular and criminal trends. But, the anti-gay attitudes of many religious and community leaders replicate the life of widespread prejudice in India.

- PRINCIPLE OF "EQUAL OPPORTUNITY"

Freedom or opportunity may explain where and when equality seems most important. Our equal rights to a fair trial, to vote in elections, to association, speech and religion are each an equal right to a sphere of freedom. *Equality of opportunity* is usually opposed to slavery, hierarchy and caste society, where social positions, life prospects and individual freedoms are determined by membership of some group that you are born into, such as the aristocracy. Our acknowledgement of the importance of freedom and equality motivate the theory and practice of *Equality of Opportunity*.¹³

- "EQUAL OPPORTUNITY" PRINCIPLE UNDER INDIAN CONSTITUTION

Right to Equality is one of the basic fundamental rights that the constitution of India guarantees to all the citizens of the country. The equal opportunity principle under Indian Constitution is what is called as "RESERVATION". Article 14, 15 and 16 deals with the equality of opportunity principle. The Constitution of India has given a wide interpretation of this Article. Equal opportunity is a term which has differing definitions and there is no consensus as to the precise meaning. The Constitution of India has given a wide interpretation of Equal Employment Opportunity (EEO)¹⁴ principles and it apply to:

- Access to jobs
- Conditions of employment
- Relationships in the workplace
- The evaluation of performance and

¹¹Naz Foundation v. Govt. of NCT of Delhi 160 Delhi Law Times 277, Retrieved on 11.4.2019 from www.indiankanoon.com, at 03:20AM

¹²Suresh Kumar Koushal v. Naz Foundation Civil Appeal No. 10972 OF 2013, Retrieved on 11.4.2019 from www.indiankanoon.com, at 03:20Am

¹³DwijendraNath Thakur, Feminism and Women Movement in India, Research Journal of Humanities and Social Sciences (2008), Retrieved on 23.5.2019 at 10:20Pm

¹⁴HomeConstitutional& Administrative LawEquality of Opportunity in Public Employment, Equality of Opportunity in Public Employment On January 12, 2015 By admin By DiptiKhatri, Retrieved on 13.5.2019 at 09:55Pm

- The opportunity for training and career development.

Article 16 is an instance of the application of the general rule with special reference to the opportunity of appointments under the State. It says that there shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.¹⁵ If it stood alone all the backward communities would go to the wall in a society of uneven basic social structure, the said rule of equality would remain only a utopian conception unless a practical content was given that is why the makers of the Constitution introduced clause (4) in Art. 16.

The expression “*nothing in this article*” is a legislative device to express its intention in a most emphatic way that the power conferred thereunder is not limited in any way by the main provision but falls outside it. It has not really carved out an exception but has preserved a power untrammelled by the other provisions of the Article.¹⁶

It is controversial which of these ideals, if any, are morally acceptable, and which, if any, should be coercively enforced. The ideal of a society in which people do not suffer disadvantage from discrimination on grounds of supposed race, ethnicity, religion, sex, sexual orientation is widely upheld as desirable in itself. For many, the ideal is more compelling than any argument that might be offered to support it as requirements of justice.

- EQUAL PAY FOR EQUAL WORK: “BOTH MAN & WOMAN”

The Supreme Court remanded *Chemical Mazdoor Panchayat vs Indian Oil Corporation*¹⁷ and, in *Indian Oil Corporation vs Chief Labour Commissioner* raised a crucial question of the interplay between the constitutional principle of equal pay for equal work, and the statutory guarantee contained in Rule 25(2)(v) of the Contract Labour (Regulation and Abolition) Rules of 1971, framed under the Contract Labour (Regulation and Abolition) Act) of 1970.¹⁸ The Supreme Court first constitutionalised the right to equal pay for equal work which is Directive Principle 39(d) in the Constitution in a 1982 judgment called *Randhir Singh vs Union of India*¹⁹, the Supreme Court grounded equal pay for equal work in Article 14 of the Constitution, and observed that in cases where all “*relevant considerations are the same*”, the government could not deny equal pay simply by performing the bureaucratic manoeuvre of splitting the workforce into different posts, or different departments.

1.3 FEMINISM

Feminism is both an intellectual commitment and a political movement that seeks justice for both men and women, to end of sexism in all forms. However, there are many different kinds of feminism. Feminists disagree about what sexism consists in, and what exactly ought to be done about it. They disagree about what it means to be a woman or a man and what social and political implications gender has or should have. Nonetheless, motivated by the quest for social justice, feminist inquiry provides a wide range of perspectives on social, cultural, and political phenomena.

Feminism is the movement towards women’s equality and the fight for equal gender in the social, political, cultural and economical aspects of society. Feminism also fights for equal opportunity for women in employment and education. Feminism is the belief that women should have economic political and social equality with men. This term also refers to a political movement that works to gain equality within a male and female relationship.²⁰ In a male and female relationship both the roles of the male and female should be equal. Equal in many ways, they should have trust on each other, they should share responsibilities, listen to one another, respect each other, and of course love one another equally.

¹⁵ Beverley Baines, Daphne Barak-Erez, and Tsvi Kahana (eds). *Feminist Constitutionalism. Global Perspectives*. Cambridge University Press, 2012. 494 pages. ISBN: 9780521761574, Anna Katharina Mangold, Retrieved on 13.5.2019 at 06:20Pm

¹⁶ Law, religion and gender equality: literature on the Indian personal law system from a women’s rights perspective by Tanja Herklotz, Retrieved on 24.3.2019 at 04:30Pm

¹⁷ *Chemical Mazdoor Panchayat vs Indian Oil Corporation* Civil Appeal No 1974/2017 Retrieved on 21.4.2019 at 07:10Pm

¹⁸ *Indian Oil Corporation vs Chief Labour Commissioner R/Letters Patent Appeal No.65 Of 2013 In Special Civil Application No.9036 Of 1998 R/Special Civil Application No. 27106 Of 2007*, Retrieved on 30.4.2019 at 04:55 Pm

¹⁹ *Randhir Singh vs Union Of India & Ors* on 22 February, 1982, Retrieved on 30.4.2019 at 09:45 Pm

²⁰ <https://www.epw.in/journal/2017/40/commentary/envisioning-and-striving-towards-gender-justice.html>, Retrieved on 23.5.2019 at 09:45 Pm

1.3.1 GENESIS OF FEMINISM

The term 'feminism' has many different uses and its meanings are often contested. Some writers use the term feminism to refer to a historically specific political movement in the US and India while the other writers use it to refer to the belief that there are injustices against women, though there is no consensus on the exact list of these injustices.

In the mid of 1800's the term feminism was used to refer to the qualities of females, and it was not until after the First International Women's Conference in Paris in 1892 that the term, following the French term '*féministe*', was used regularly in English for a belief in and advocacy of equal rights for women based on the idea of the equality of the sexes. Some feminists trace the origins of the term feminism in English as rooted in the movement in US beginning with the mobilization for suffrage during the late 19th and early 20th century and refer to this movement as first wave feminism.²¹

Given the controversies over the term feminism and the politics of circumscribing the boundaries of a social movement, it is sometimes tempting to think that there is little point in demanding a definition of the term beyond a set of disjuncts that capture different instances. However, at the same time it can be both intellectually and politically valuable to have a schematic framework that enables us to map at least some of our points of agreement and disagreement.²²

1.3.2 TYPES OF FEMINISM

Feminism actually refers to the thought, that men and women deserve equality in all opportunities, treatment, respect, and social rights. The feminists are those people who acknowledge social inequality based on gender and stop it from further continuing. Feminists point out that in most cultures throughout history men have received more opportunities than women.

One of the reasons for this discrepancy might be because there are, different types of feminism. The are as follows²³–

- **Radical Feminism**- Radical feminism is the concept which believes that the sexism is so deeply rooted in society that the only way to cure, is by eliminating the concept of gender completely.
- **Socialist Feminism**- Socialist feminism calls for an end to capitalism through a socialist reformation of our economy. The radical feminism is the most extreme form while the socialist feminism, is slightly less extreme but still calls for major social change.
- **Cultural Feminism**- Cultural feminism is a movement that points out how modern society is damaged by encouraging masculine behavior, but speaks of society, which would be benefited by encouraging feminine behavior instead.
- **Liberal Feminism**- Feminism is not just a word to defend women's rights and be anti-men, it is more than that. Feminism refers to movements aimed at founding and demanding equal political, economic, and social rights and equal opportunities for women as men. Its concepts overlap with those of women's rights.

1.3.3 INDIAN PERSPECTIVE OF FEMINISM

Feminism, in India is a set of movements aimed at defining, establishing, and defending the theories of equal political, economic, and social rights as well as equal opportunities for both Indian women and men. It is the pursuit of women's rights within the society of India. Like their feminist counterparts all over the world, feminists in India seek gender equality that is the right to work for equal wages, the right to equal access to health and education, and equal political rights.

Indian feminists also have fought against those culture-specific issues within India's patriarchal society, such as inheritance laws and the practice of widow immolation known as Sati.

²¹ Supra 30, Retrieved on 23.5.2019 at 09:25 Pm

²² <http://www.unwomen.org/en/digital-library/publications/2010/1/gender-justice-key-to-achieving-the-millennium-development-goals>, Retrieved on 13.5.2019

²³ Gender Justice Feminist Jurisprudence by Justice Sunanda Bhandare Edited by Murlidhar C. Bhandare, Retrieved on 23.5.2019

The history of feminism in India can be divided into three phases²⁴:

FIRST PHASE

(1850-1915)

This phase was initiated by men mainly male britishers to uproot the social evils of sati (widow immolation) in India,

To allow widow remarriage,

To forbid child marriage, and to reduce illiteracy,

To regulate the age of consent and to ensure property rights through legal intervention.

Several Indian states were ruled by women during British colonial advance including Jhansi (Rani Laxmibai), Kittur (Rani Chennama), Bhopal (Quidisa Begum) and Punjab (JindKaur)

SECOND PHASE

(1915-1947)

During this period the struggle against colonial rule intensified.

Gandhi legitimised and expanded Indian women's public activities by initiating them into the non-violent civil disobedience movement against the British Raj.

Women's participation in the struggle for freedom developed their critical consciousness about their role and rights in independent India.

This resulted in the introduction of the franchise and civic rights of women in the Indian constitution.

There was provision for women's upliftment through affirmative action, maternal health and child care provision (crèches), equal pay for equal work etc.

Women-only organisations like All India Women's Conference (AIWC) and the National Federation of Indian Women (NFIW) emerged.

Women were grappling with issues relating to the scope of women's political participation, women's franchise, communal awards, and leadership roles in political parties.²⁵

THIRD PHASE

(Post-1947)

Post independence feminists began to redefine the extent to which women were allowed to engage in the workforce.

The Protection of Women from Domestic Violence Act 2005 is an Act introduced to protect women from domestic violence.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 introduced that seeks to protect women from sexual harassment at their place of work.

The Criminal Law (Amendment) Act, 2013 introduced the changes to the Indian Penal Code, making sexual harassment an expressed offence under Section 354 A, punishable up to three years of imprisonment and or with fine.

In 1966 Indira Gandhi became the first female Prime Minister of India. She served as prime minister of India for three consecutive terms (1966-77) and a fourth term from 1980 until she was assassinated in 1984.

Feminism brought many things to philosophy including not only a variety of particular moral and political claims, but ways of asking and answering questions, critiques of mainstream philosophical views and methods, and new topics of inquiry.

²⁴Feminism and Feminist Jurisprudence by Justice Pvitra Gupta Edited by Murlidhar C. Bhandare Retrieved on 3.6.2019 from LexisNexis Publications

²⁵MeenakashiLekhi, Feminism the Indian Constitution, (April 20, 2017)Retrived on 14.5.2019 from <http://www.theweek.in/columns/Meenakashi-Lekhi/feminise-the-indian-constitution.html>

1.4 MENINISM

Meninism is term used to describe various groups, including the men's rights movement, and male feminists. The term is sometimes used sincerely to challenge social issues facing men, and sometimes satirically or semi-satirically as a word-play on feminism. Members of these groups are known as meninists.

They depict feminists as insensitive and often self-victimizing. Meninists and several MRA's have thrown light on the topic of rape, specifically the injustice of women being able to falsely accuse men of sexual assault and thus ruining men's lives. The basic argument of organizations like this potentially boils down to major questions-

- ✓ What about men?
- ✓ Whether it is unfair to take the spotlight off men, in order to focus on gender equality, as meninists may believe?

1.4.1 HISTORICAL BACKGROUND OF MENINISM

The term meninism was used in the early 2000s to describe male feminists who opposed sexism and supported women's right for equality in society, politics and at work. By the next decade, the term was used on social media to make jokes which mocked and criticised radical feminism. In 2013 the BBC reported that the hash tag #MeninistTwitter was being used on Twitter, first to share jokes about feminism, but later to share more serious difficulties facing modern men. In 2015, Nolan Feeney of Time reported that those who used meninist hash tags generally fall in two camps, people who use the term to call out ways they believe they have been victimised by feminism, secondly people who make fun of the first group for not understanding what feminism means. Meninism has been partially evolved into a movement promoting awareness of the issues which the movement perceives as affecting men, opposition to the perceived oppression men which they had faced in the 21st century. Some perceive that men are victimised by modern-day feminism, and occasionally by the violence against men.²⁶ Women also identify as meninists.

THE JURISPRUDENCIAL ASPECTS OF GENDER JUSTICE

Men and women have roles,

Their roles are different,

but their rights are equal

-HarriHolker

PROLOGUE

Feminist jurists who accept the premise of male bias insist on "asking the woman question ... to identify the gender implications of rules and practices which might otherwise appear to be neutral or objective". This chapter aims to discuss the various aspects of feminism, meninism and feminist jurisprudence further throwing light upon-

2.1 THE FEMINIST JURISPRUDENCE

Feminist jurisprudence is an idea of law based on the political, economic, and social equality of all the genders. In feminist jurisprudence, the relationship between women and law is considered in particular. The concept of feminist jurisprudence was developed in 1960. Feminist jurisprudence in the United States considers matters like sex and domestic violence, inequality in workplace, and gender based discrimination, the fact is that this is a philosophy of law based on the political, economic, and social equality of sexes.. Feminists considers that history was inscribed from a male point of view and does not reflect any title role of women in creating the

²⁶Maputo Protocol – Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003)at 09:45 Pm

history and structuring society.²⁷ Male penned history has created a prejudice in the concepts of human nature, gender potential, and social arrangements. The language, logic, and structure of the law are male shaped and fortify only the male values.

Why Feminist Jurisprudence?

Laws associated with violence against, harassment of and discrimination of women, are presently subjects of intense dialogue, deliberations and discourse. The efficaciousness and effective implementation of laws and legal initiatives like the Muslim family law reform, Uniform Civil Code, rape law and law prohibiting molestation have preponderantly remained focus areas for such discourses.

Though feminists share common reassurances to maintain equality between men and women, feminist jurisprudence is not uniform. There are four major schools of thought within feminist jurisprudence that are liberal, radical, cultural and postmodern.

2.1.1 THE LIBERAL FEMINISM

The historical beginning of contemporaneous liberal feminism goes back to the 18th century, which was meant that a singular possesses the freedom to do what he/she wishes without interference from others. Liberal feminism is an idiosyncratic form of feminist theory, which focuses on women's ability to maintain their equivalence through their own actions and choices. Its weights on making the legal and political rights of women equal to men.²⁸ Liberal feminists claim that society holds the false belief that women are, by nature, less intellectually and physically capable than men, thus it tends to differentiate against women in the academy, the forum, and the marketplace.

In India, liberal feminists have functioned for the ratification of the equal rights amendment or "Constitutional Equity Amendment", to safe guard that men and women are treated as equals under the democratic laws that also influencesignificant spheres of women's lives, including reproduction, work and equal pay issues.

2.2 MENINISM: A RADICAL APPROACH

Meninists appear to be jabbing fun at women's activists for portraying themselves as casualties. They do so by indicating out the gathered abuse of guys. In any case of any amusing eagerly, this contention calls for a few examination. Meninists have regularly specified the need of a male #MeToo development. They contention around male sexual attack as much as female sexual ambush. The issue for these men is that men are getting less acknowledgment for encountering attack. As already said, another contention from meninists is that ladies are more than once crushing men's lives by dishonestly denouncing them of assault.²⁹

As Meninism may be an informal conviction, but it recognizes a really real risk to women's liberation. When someone's benefit is at stake, it can panic them. From this fear, they may feel the have to be grasp onto their possess battles. These things may begin out as jokes, but on the off chance that we are as well active chuckling at them, we may miss the opportunity for advance. From this fear, they may feel the need to grip onto their own struggles. These things may start out as jokes, but if we are too busy laughing at them, we may miss the opportunity for progress

2.3 ACKNOWLEDGING DIFFERENCE OF FEMINISM, MENINISM & GENDER EQUALITY

S.No	FEMINISM	MENINISM	GENDER EQUALITY
1.	The purpose of feminism was to advocate for women's political, social, and economic rights	Meninism is basically a mockery of feminism and does not really stand for any purpose other than to stereotype women.	Gender is the male and femaleness of a person.

²⁷ An Overview of Women's Work and Employment in India, Amsterdam Institute of Advanced Labour Studies, 2010 Retrieved on 5.5.2019at 09:40 Pm

²⁸ Supra 34 Retrieved on 5.6.2019at 09:45 Pm

²⁹ International Journal of Constitutional Law, Volume 11, Issue 4, October 2013, Pages 1124-1129, Retrieved on 10.4.2019 from <https://doi.org/10.1093/icon/mot052> at 12:00 Pm

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| <p>2. Feminist movement, one of the main ideas that women fought for was the right to be able to venture out of their resigned domain in the kitchen and into the workforce with their male counterparts.</p> | <p>“Meninism” Twitter account has recently risen to fame and has drawn outrage from the feminist community</p> | <p>In gender equality, people argue for the equal rights for both genders. Also, it says that both men and women should be treated equally, regardless of their gender differences.</p> |
| <p>3. Feminism is a collection of movements that arose for a common goal to give equal status to women.</p> | <p>They focus on giving the rights to men which are lost.</p> | <p>It emphasizes the harmony between two genders</p> |
| <p>4. This examines women’s status and social life and then compares it with men’s situation. In some societies, women are ill-treated by their male family members, in terms of law rights, educational rights and economical rights. Some women are not allowed to gain education, but they are forced to get married and bear children, which are considered to be their duties.</p> | <p>This throws a light on the status of men, due to the stereotype feminists, all men are ill-treated.</p> | <p>Gender equality is based on both genders and they look at both males and females in a similar perspective</p> |

Gender equality is the view that both men and women should always be treated equally, regardless of their gender differences. For example, there might be instances where both men and women do engage in the same type of work, but men are paid more than the women. These kinds of behaviors are criticized in terms of gender equality.³⁰ The organizations who work for gender equality aim towards combating against the gender stereotypes, violence against women, giving equal opportunities for both men and women in politics and public decision scenarios, etc.

THE GENDER AND INDIAN LEGAL FRAMEWORK

*“Man for the field and women for the hearth,
 Man for word and for needle she,
 Man with the head and women with the heart,
 Man to command and women to obey,
 All else confusion”*

- Alfred Lord Tennyson

PROLOGUE

Feminists also criticize mainstream jurisprudence as patriarchal. They say that male-dominated legal doctrine defines and protects men, not women. By discounting gender differences, the prevailing conceptions of law perpetuate patriarchal power. Like the earlier chapter discussed about the concept of feminist jurisprudence and the beginning of meninism in India, this chapter aims to focus on touching the aspects of gender equality and gender justice in the light of the Constitution of India.

3.1 THE CONSTITUTIONAL JURISPRUDENCE ON GENDER EQUALITY

India’s equality jurisprudence has long shown notions of formal equality’s limits, undertows, resoluteness, and backfire potential, and it shows an overwhelming sense that a more substantive idea of balance is required. As distant back as 1963, Equity K. SubbaRao’s disagree in LakhmanDass broadly challenged classification hypothesis as the ‘*be-all and end-all of equality*’.

³⁰ Supra no.55 Retrieved on 13.5.2019 at 12:00 Pm

Equality which implies treating similarly i.e prefers alike, unlikes unlike, is the hypothesis of Aristotle and this was created through the edification, this origination spins around equivalence and contrast.

*E. P. Royappa v. State of Tamil Nadu*³¹, strict nexus test abandoned in favor of broader arbitrariness test for purpose of determining discriminatory classifications under article 14, *Shri Ram Krishna Dalmia v. Shri Justice S. R. Tendolkar*³², the classifications valid for this framework, when created, was not predicated on an understanding that women are men's equals kept pervasively unequal by social orderings. In *E.P. Royappa v. State of Tamil Nadu*³³, it was held that once the potential dynamism characteristic in the equity idea is uncovered in cases by subjected people groups, as foregrounded in the substitute origination, a rich and substantive fairness custom is uncovered underneath the current uniformity law in India. A portion of the Supreme Court's ongoing dynamic choices on assault show a sex balance reasonableness that anticipates just being doctrinally so marked.

Women were thought, by propensity for psyche, to be not completely human by temperance of their sex. One paradox this view has created is between the picture of ladies being set on an uncommon platform or extraordinarily ensured for their disparities from one viewpoint, and the truth of being generally damaged, misused, and killed with across the board exemption on the other, regarding similar settings and credits indicated to help the platforms and securities.

3.1.1 GENDER JUSTICE AND GENDER NEUTRALITY - IDEA INBUILT IN THE PREAMBLE

Over an extremely significant lot of time, Gender Inequality and contrasts existed in practically all social orders of the world and consequently the issue in regards to sexual orientation imbalance in India is definitely not an ongoing advancement. Gender Inequality is fundamentally a socio-cultural term which contains in itself the socially credited jobs, ascribes and practices given to a man and a women in the general public.³⁴ On numerous occasions we have seen that Indian culture has oppressed the psyche of a women, she has been separated from the very beginning of birth through female child murder (female foeticide). Indeed, even before birth, female foeticide and sex particular premature birth, battering amid pregnancy, pressured pregnancy and so forth are normal in a nation like India.

The Indian culture gives women a double character. Here and there she is considered as a perfect power, religious writings and traditions authorize such a job upon lady which means that a lady ought not have her very own motivation throughout everyday life, she ought to be held under the control of man and her entire life and presence is for the man. In this way, a women is intended to be rich, quiet and kind.

Presently, let us illuminate the changing social position of women every now and then-

- *Vedic Period:* The Vedic Period used to be the generation when women did experience a dominant place in the society. Women enjoyed the Right to education and they studied in gurukuls. According to the Rig Veda, it was referred to that the domestic has its basis in the female mass.³⁵
- *Post-Vedic Period:* During this period, there used to be a degradation in the role of women. In this duration the idea of class and gotra developed.
- *Medieval Period:* This duration used to be viewed as the dark-age for women where their role considerably deteriorated. In this duration India was once invaded through overseas conquerors which resulted in the decline in the status of women. When the Muslims got here to India, they introduced with them their very own culture.
- *British Period:* During this period, the function of women modified considerably. At least, there was an attempt to uplift the standard of women and deal with them as equals with men.³⁶
- *Post-British Period:* During this period, the immediate concerns of women were not constitutional rights however political reality.

3.2 Women- The Weaker Section And Its Protection Under Law

The International laws and treaties on women's right, the United Nations has helped to set a common standard for measuring how societies advance equality between men and women. Among such treaties are-

³¹ A.I.R. 1974 S.C. 555, Retrieved on 3.4.2019 from www.indiankanoon.com at 12:00 Pm

³² (1959) S.C.R. 279, Retrieved on 3.4.2019 from www.indiankanoon.com at 12:01 Pm

³³ A.I.R. 1974 S.C. 555, 583, Retrieved on 3.4.2019 from www.indiankanoon.com at 12:01 Pm

³⁴ Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979), Retrieved on 3.4.2019 at 12:10 Pm

³⁵ Convention on preventing and combating violence against women and domestic violence (2014), Retrieved on 23.4.2019 at 11:00 Pm

³⁶ <http://in.one.un.org/task-teams/gender-equality-and-empowerment>, Retrieved on 23.4.2019 at 10:00 Pm

- The convention on the political rights of Women (1952)
- The convention on the nationality of Married Women (1957)
- The convention on recovery abroad of maintenance (1956)
- The convention on the consent of marriage (1962)
- The convention on the elimination of all forms of discrimination against women (1979)

In addition to these treaties United Nations also observed 1975 as International women’s year. The Principle of Gender Equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles.³⁷ The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women. Various provisions are as follows-

1. Constitutional Provisions

The Constitution of India not only grants equality to women but also empowers the State to adopt measures of positive discrimination in favour of women for neutralizing the cumulative socio economic, education and political disadvantages faced by them.

Fundamental Rights, among others, ensure equality before the law and equal protection of law, prohibits discrimination against any citizen on grounds of religion, race, caste, sex or place of birth, and guarantee equality of opportunity to all citizens in matters relating to employment. Articles 14, 15, 15(3), 16, 39(a), 39(b), 39(c), 42, 46, 47, 51(A) (e), 243 D(3), 243 D (4), 243 T (3) and 243 T (4) of the Constitution are of specific importance in this regard.

2. Legal Provisions

The State has enacted various legislative measures which intends to ensure equal rights, to counter social discrimination and various forms of violence and atrocities and to provide support services especially to working women basically to uphold the constitutional mandate. Although women may be victims of any of the crimes such as Murder, Robbery, Cheating etc, the crimes, which are directed specifically against women, are characterized as Crime against Women. These are broadly classified under two categories-

(A) The Crimes Identified Under the Indian Penal Code (IPC)³⁸

S.NO	CRIME (s)	SECTION (s)
1.	Rape	(Sec. 376 IPC)
2.	Kidnapping & Abduction for different purposes	(Sec. 363-373)
3.	Homicide for Dowry, Dowry Deaths or their attempts	(Sec. 302/304-B IPC)
4.	Torture, both mental and physical	(Sec. 498-A IPC)
5.	Molestation	(Sec. 354 IPC)
6.	Sexual Harassment	(Sec. 509 IPC)
7.	Importation of girls	(up to 21 years of age)

(B) The Crimes identified under the Special Laws

Although all laws are not gender specific, the provisions of law affecting women significantly have been reviewed periodically and amendments carried out to keep pace with the emerging requirements. Some acts which have special provisions to safeguard women and their interests are³⁹:

³⁷ Constitution of India, Retrieved on 23.4.2019 , J.N Pandey , pg no 44 Ed 4 at 11:00 Pm

³⁸ Indian Penal Code by RatanlalDhirajlal Ed.4 by Universal Publications Retrieved on 23.5.2019 at 10:00 Pm

³⁹www.legalservices.comRetrievd on 4.5.2019at 11:01 Pm

S.NO

ACT NAME

1. The Employees State Insurance Act, 1948
2. The Plantation Labour Act, 1951
3. The Family Courts Act, 1954
4. The Special Marriage Act, 1954
5. The Hindu Marriage Act, 1955
6. The Hindu Succession Act, 1956 with amendment in 2005
7. Immoral Traffic (Prevention) Act, 1956
8. The Maternity Benefit Act, 1961 (Amended in 1995)
9. Dowry Prohibition Act, 1961
10. The Medical Termination of Pregnancy Act, 1971
11. The Contract Labour (Regulation and Abolition) Act, 1976
12. The Equal Remuneration Act, 1976
13. The Prohibition of Child Marriage Act, 2006
14. The Criminal Law (Amendment) Act, 1983
15. The Factories (Amendment) Act, 1986
16. Indecent Representation of Women (Prohibition) Act, 1986
17. Commission of Sati (Prevention) Act, 1987
18. The Protection of Women from Domestic Violence Act, 2005
19. The Christian marriage act, 1872
20. The Parsee marriage and Divorce act, 1936
21. The Dissolution of the Muslim marriage act 1939
22. The Married women's property act, 1874
23. The Hindu widow remarriage act, 1856
24. The criminal law (amendment) Bill, 2013
25. Women's Reservation Bill (The Constitution 108th Amendment Bill)

3. Special Initiatives For Women includes:-

- National Commission for Women
- Reservation for Women in Local Self –Government
- The National Plan of Action for the Girl Child (1991-2000)
- Rajiv Gandhi National Creche Scheme
- SWADHAR Greh Scheme
- The National Plan of Action for the Girl Child (1991-2000)-
- National Policy for the Empowerment of Women, 2001
- Beti Padhao, Beti Bachao Scheme
- One Stop Centre Scheme

- Women helpline scheme
- Working Women's Hostel (WWH)
- Support to Training and Employment Programme (STEP) for Women
- Mahila e-Haat
- Mahila police volunteers
- National Mission for Empowerment of Women (NMEW)

The Principle of Gender Equality is enshrined within the Indian Constitution in its Preamble, fundamental Rights, fundamental Duties and Directive Principles. among the framework of a democratic polity, our laws, development policies, Plans and programmes have aimed toward women's advancement in exclusive spheres. india has additionally legal a range of international conventions and human rights devices committing to invulnerable equal rights of women.

3.3 THE HYPER FEMINISM

Man and woman are two halves of humanity. Neither can attain its best innovative excellence barring the cooperation of the other. Through the a long time we have positioned woman on a pedestal of mother of mankind and she is still, will always remain. Paradoxically, the most horrendous cruelties have been inflicted upon her, often besides reason and mostly barring just cause. Though we have entered the new millennium, the status of women has multiplied now, as she was discriminated against all these years⁴⁰. Hyper-feminism has taken the battle for women's rights, and grew to become it into only women have rights whilst also saying that women must have no responsibility. Hyper-feminism has decided that because men have had and proceed to have greater strength and gain in the world, male experiences are not valid.

Hyper-feminists, are not god or goddesses but humans. Fallible, imperfect humans. They are teaching the world to hate. This is not about rights of men but creating gender equality. Mena lso have rights which need to be protected too, but the whole point of feminism is not to build women up and cut men down, the point is to find a balance where no one has too much or too little power in the world. And the whole point of hyper-feminism is to teach the world to hate everything they have decided men encapsulate and if a woman believes in the value men offer, she is considered worthless as men are.

JUDICIAL & MEDIA ROLE ON GENDER JUSTICE

Sexism is the root oppression, the one which, until and unless we uproot it, will continue to put forth the branch of racism, class, hatred, ageism, competition, ecological disaster, and economic exploitation. No other human differentiations can be similarly powerful in reproducing oppressions, and so, women are the real left."

Morgan Robin

PROLOGUE

Law is pervasive and affects many aspects of people's lives, women and men alike. As we witness the growing „juridification“ of life – that is, the expansion and penetration of the legal sphere into more and more aspects of other social (public and private) spheres – the prominence of law and rights in affecting people's lives becomes increasingly obvious. The media and judiciary had played an important role in developing the society within past few years and this chapter deals in detailed discussion about their role.

4.1 JUDICIAL PRONOUNCEMENTS

Judiciary in each country has associate degree obligation and a Constitutional role to protect Human Rights of citizens. Since each society encompasses a judicature for the protection of its law-abiding members, it has to make provisions of prisons for the law breakers

Women empowerment means their capacity to participate as equal partners in cultural, social, economic and political systems of a society.⁴¹ Even though the world economy has developed into global economy, in both developed and developing countries women have been suppressed in all walks of life for generations. Women empowerment is far easier said than done.

Thus it is no real surprise that women empowerment in India is a hotly discussed topic with no real solution looming in the horizon except to doubly redouble our efforts and continue to target the sources of all the violence and ill-will towards women.

⁴⁰ An Overview of Feminsim and its ill effects by Amsterdam Institute of Advanced Labour Studies, 2010
Retrieved on 3.5.2019

⁴¹The Indian Constitution by JN Pandey Ed.3 Pg.20 published by Universal Publication Retrieved on 5.6.2019 at 5:55Pm

• INDIAN CONSTITUTION AND GENDER JUSTICE

The Preamble of the Constitution clearly states that equality should be given to all citizens in terms of status and opportunity. It must be understood that guarantying Rights to people of a community becomes useless unless and until those Rights are equally enjoyed by all members of the community. The framers of the constitution aimed at ensuring equality of status and opportunity through the Preamble. Equality is the touchstone of Indian Constitution. The Preamble of the Constitution inter alia talks about social, political and economic justice for all citizens of the country.⁴² The Preamble talks about social justice which should be understood in the light of ensuring abolition of all sorts of inequalities which may result from inequality in wealth, status, class, caste, sex, race, title etc. Economic justice ensures that every person should get his just dues for the labour given by him/her irrespective of caste, creed, sex, status etc.⁴³

Thus, Art-15(3) positively discriminates in favour of women and permits the state to make special provisions for them. Art-15(3) should be understood in the constitution very well understood that women in the then Indian society did not have equal political, economic and social status as that of men. They felt an urge to uplift women and bring them under the same sun.

Thus, Art-15(3) validates positive discrimination and it is in no way contradictory to Art-15(1). Art-16 talk about equality of opportunity in case of public employment. Equal employment opportunity means equal access to jobs and conditions of work.

It also contains in itself the essence of equal evaluation of performance. It must be noted here that Art-16 talks about employment or appointment to any office under State only. Matters relating to employment mean all matters prior or subsequent to the employments which are connected with the employment. Art-23 specifically prohibits traffic in human beings. Art-39(a) directs the State to secure its policy so that the citizens (both men and women) have equal rights to adequate means of livelihood. Art-39(d) directs the State to secure equal pay for equal work for both men and women. The State gave effect to this provision by enacting the Equal Remuneration Act, 1976.

Through the 73rd and 74th amendment of Indian Constitution, reservations of seats were provided to women in elections to the Panchayat and municipalities. Art-243D of the Constitution provides that in the direct election in every panchayat not less than 1/3rd of total number of seats are to be reserved for women. Article-243T(3) provides for reservation of seats for woman in direct elections to every municipality. Art-51A(e) inter alia states that it is the duty of every citizen of India to renounce from practices which are derogatory to the dignity of women.

If an equality doctrine can go either way, depending on extrinsic inputs, is it really an equality doctrine?

If it depends on goodwill and political commitment to work, its secular tendency will be to fail exactly for those people and at those times that the egalitarian spirit is lacking, which is just when it is needed most. And that, in fact, is what has arguably happened. Gender equality laws exist nearly everywhere, and sex equality exists virtually nowhere.

Sexual harassment law, which first argued that being in a subordinated sexual position was not a sex difference that justified sexual abuse but was rather a violation of gender equality rights, illustrates this alternative model. *LakhmanDass v. State of Punjab*⁴⁴, over-emphasis is on the doctrine of classification, or an anxious and sustained attempt to discover some basis for classification, may gradually and imperceptibly deprive the equality article of its glorious content. That process would inevitably end in substituting the doctrine of classification for the doctrine of equality, The fundamental right to equality before the law and equal protection of the laws may be replaced by the doctrine of classification. This was held with approval by Justice Krishna Iyer in *Col. A. S. Iyer v. Balasubramanyam*⁴⁵,

In *IndraSawhney v. Union of India*⁴⁶, and *EvChinnaiah v. State of Andhra Pradesh*⁴⁷, the Constitution permits application of equality clause by grant of additional protection to the disadvantaged class so as to bring them on equal platform with other advantaged class of people.

⁴² Human Rights & Gender Justice by Dr.P.K.Pandey , Central Law Publications, Pg No 49 Retrieved on 27.3.2019

⁴³ Human Rights & Gender Justice by Dr.P.K.Pandey , Central Law Publications, Pg No 40 Retrieved on 27.3.2019at 4:45Pm

⁴⁴LakhmanDass v. State of Punjab, A.I.R. 1963 S.C. 222, 240 Retrieved on 27.3.2019at 2:00 Pm

⁴⁵ Col. A. S. Iyer v. Balasubramanyam, (1980) 1 S.C.C. 634, 659 Retrieved on 27.3.2019at 2:00 Pm

⁴⁶IndraSawhney v. Union of India, 1992 Supplementary (3) S.C.C. 217; IndraSawhney v. Union of India, (1995) Retrieved on 27.3.2019, 5 S.C.C. 429; IndraSawhney v. Union of India, (1996) 6 S.C.C. 506,at 2:15 Pm

⁴⁷EvChinnaiah v. State of Andhra Pradesh and Ors, (2004) 4 L.R.I. 705, Retrieved on 27.3.2019at 2:00 Pm

Further in *Dattatraya Motiram More v. State of Bombay*⁴⁸ and in *Govt. of Andhra Pradesh v. P.B. Vijaykumar*⁴⁹, reservations are upheld for weaker section in India, what in the United States are termed quotas and affirmative action. The pitiable condition of scheduled castes is recognized by the Constitution as a national problem.

Vishaka v. State of Rajasthan, A.I.R. 1997 S.C. 3011 provided guidelines to protect women workers from sexual harassment, where Articles 14 and 19 was found violated and the legislature had failed to act.

Fundamental to these decisions, India's constitutional text holds great potential for ameliorating the subordination of women to men.

India's jurisprudence having come this far for women, bearing such enormous promise, one major exception stands out. Out of step is the judicial reluctance to apply sex equality principles to the personal laws.

- Misuse of Section 498A of The Indian Penal Code – 'false cases'

While the law was undoubtedly put in place to protect vulnerable women from domestic violence and death, many, including even India's Supreme Court are concerned that it's being misused by some women to intimidate or extort money from their husbands, or ex-husbands.

"The fact that Section 498A is a cognisable and non-bailable offence has lent it a dubious place of pride amongst the provisions that are used as weapons rather than shield by disgruntled wives."

**-Justices CK Prasad and PC Ghose,
(Supreme Court of India, July 2014)**

A number of false complaints are registered whereby all the family members including the sister-in-law, the brother-in-law, the old parents and the married sisters, they are all being implicated. Section 498A does not require women to provide evidence of abuse, and there's a presumption of guilt until innocence can be proven.

In this very interesting case of 2018, High Court of Karnataka held that a petition under the Domestic Violence Act by the husband or an adult male can be entertained. To arrive at its decision, the High Court placed reliance on Supreme Court's judgment in the case of *Hiral P. Harsora v. Kusum Narottamdas Harsora*, wherein the Supreme Court while striking down a portion of Section 2(a)⁵⁰ of the Act on the ground that it is violative of Article 14 of the Constitution of India and the phrase "adult male" as appearing in Section 2(q) of the Act stood deleted.

Supreme Court modified the earlier directions issued to prevent misuse of 498A IPC, directed 'No To Welfare Committees'⁵¹, Supreme Court of India has modified its directions issued in Rajesh Sharma case for preventing misuse of Section 498A of Indian Penal Code. The Court observed that there were inbuilt mechanisms in criminal procedure to check misuse of provisions. "We have protected pre-arrest or anticipatory bail provision in dowry harassment cases, there is no scope for courts for constitutionally filling up gap in penal law". To check the abuse of Section 498A of the IPC the court laid down in *Rajesh Sharma v. UOI* that –

(a) In every district one or more Family Welfare Committees be constituted by the District Legal Services Authorities preferably comprising of three members.

4.2 THE ROLE OF SOCIAL MEDIA IN RESHAPING FEMINISM

Digital feminist activism is a new iteration of feminist activism, offering new tools and tactics for feminists to utilize to spread awareness, disseminate information, and mobilize constituents. Like feminist activism at large, it is based in a larger critique of structural inequalities and issues and may have much to offer the overall movement. Digital feminists have engaged in activism through a variety of digital media, from liberal news sites, Post, blogs, online magazines, to social networking sites or applications such as Facebook, Tumblr, and

⁴⁸Dattatraya Motiram More v. State of Bombay, 1953 A.I.R. (Bom.) 311, 55 Bom. L.R. 323 (1953) Retrieved on 27.3.2019 at 2:40 Pm

⁴⁹ Govt. of Andhra Pradesh v. P.B. Vijaykumar, A.I.R. 1995 S.C. 1648 Retrieved on 27.3.2019 at 2:00 Pm

⁵⁰ (defining "aggrieved person"), Retrieved on 27.3.2019 at 7:30 Pm

⁵¹ In Social Action Forum for Manav Adhikar and another vs. Union of India Ministry of Law and Justice and others, Criminal Appeal No. 1265 of 2017, Writ Petition (Criminal) No. 156 of 2017, Retrieved on 27.3.2019 at 7:33 Pm

Instagram. Digital feminism also includes mobile activism, where participants utilize new platforms such as smartphone applications (apps or app) to engage in feminist activism. Some writers have even proposed that digital feminism may be indicative of a burgeoning fourth wave of feminism in India.⁵²

- Challenges Found in Digital Spaces

While digital spaces may offer the potential to destabilize these entrenched views on the status of women by educating wider publics about the struggles they otherwise do not themselves face or hear of via their communities or families, many challenges come with this form of activism as well, including the gendered construction of mainstream media and its messaging, digital inequality and issues of access, government and corporate surveillance, privatization of digital spaces, harassment and burnout rates of digital feminists, and maintaining engagement with publics.⁵³

Feminists who use social media become more visible, which may help to mobilize a broader audience for their aims. Using social media as a form of online activism to advocate on feminist issues is one way to reclaim space and turn it into a feminist space.

4.2.1 STEREOTYPE FEMINISTS

A gender stereotype is a generalised view or preconception about attributes, or characteristics that are or ought to be possessed by women and men or the roles that are or should be performed by men and women. Gender stereotypes can be both positive and negative for example, women are nurturing or women are weak. Gender stereotyping is the practice of ascribing to an individual woman or man specific attributes, characteristics, or roles by reason only of her or his membership in the social group of women or men. Gender stereotyping is wrongful when it results in a violation or violations of human rights and fundamental freedoms. An example of this is the failure to criminalize marital rape based on the stereotype of women as the sexual property of men. Another example is the failure of the justice system to hold perpetrator of sexual violence accountable based on stereotypical views about women's appropriate sexual behaviour.

4.3 #METOO

MeToo, has emerged as an object of internal contestation, with disputes about issues becoming grounds to question and redefine feminism itself. Feminism in India is newly relevant. The year of 2018, we have seen an explosion of online testimony to sexual harassment, in a watershed moment in India's #MeToo movement. The beginnings of the latter can be traced to a list of sexual predators in the academy that circulated online in 2017 and produced a range of responses, but little by way of actual redressal of harm. In its current iteration, there have been major repercussions in the media and entertainment industry where named sexual offenders have faced losses that were social, even if not legal. The resignation of a union minister in the wake of multiple charges of sexual harassment was a concrete victory for the movement.⁵⁴ Not since the gang rape and murder of a 23 year old physiotherapy student in New Delhi at the end of 2012, has India witnessed such a surge of mainstream concern with sexual violence, rape culture, and patriarchy.⁵⁵

At the same time, the current moment has laid bare deep disagreements and divides amongst feminist voices and publics, revealing, in turn, the contested nature of Indian feminism itself. The #MeToo movement, which began in the United States more than a year ago in response to accusations of sexual harassment and abuse by powerful men in the entertainment industry, gained traction in India late September after actress Tanushree Dutta accused Nana Patekar of inappropriate behaviour on the sets of a film they were shooting in 2008. Since then, the hashtag has become a rallying cry against sexual harassment, with multiple women coming out with their #MeToo stories.

Here's the list of some of the prominent names who have been caught in the web of #MeToo allegations so far in India⁵⁶:

⁵²In Social Action Forum for Manav Adhikar and another vs. Union of India Ministry of Law and Justice and others, Criminal Appeal No. 1265 of 2017, Writ Petition (Criminal) No. 156 of 2017, Retrieved on 27.3.2019 at 7:30 Pm

⁵³Neera Desai, Feminism as Experience: Thoughts and Narratives (Sparrow 2016) Retrieved on 27.3.2019 at 7:30 Pm

⁵⁴<https://economictimes.indiatimes.com/magazines/panache/2018-the-year-when-metoo-shook-india/2018-the-year-of-metoo-in-india/slideshow/66346583.cms> Retrieved on 5.6.2019 at 9:20 Pm

⁵⁵www.thehindu.org dated 3.5.2008 e newspapers Retrieved on 5.6.2019 at 9:20 Pm

⁵⁶<https://timesofindia.com//themetooocases.magazinetimesquare2018-the-year-metoo-and-you-to-shook-india> Retrieved on 5.6.2019 at 9:20 Pm

S.NO	NAME	ALLEGATION(S)	DEFENCE	CURRENT STATUS
1	M J Akbar (Former Union minister)	Several women journalists, including PallaviGogoi, PriyaRamani, GhazalaWahab and Shutapa Paul and Tushita Patel came out with detailed accounts of alleged sexual misconduct by Akbar when he held senior editorial positions at various media organisations.	1.M J Akbar has called all the allegations against him false and fabricated. 2.He has further accused PriyaRamani of "wilfully, deliberately, intentionally and maliciously" defaming him. 3.He was in a consensual relationship with PallaviGogoi	Akbar has also filed a defamation case in Delhi's Patiala House court against PriyaRamani. 20 women journalists have come out in support of their colleagues . Akbar resigned as minister of state for external affairs.
3.	Bhushan Kumar (T-Series chairman)	An anonymous Twitter user, claiming to be an actress, has accused Kumar of propositioning her on the pretext of signing a three-movie contract with his production house.	1.ProducerBhushan Kumar has denied the sexual harassment allegations against him, saying the claims are being used as a "tool to malign his reputation."	Kumar has lodged a police complaint against the anonymous person.
4.	AlokNath (Actor)	Several Bollywood actresses have levelled allegations of harassment against AlokNath after writer-producer Vinta Nanda claimed that she was sexually violated by the actor around 19 years ago. Well-known actors such as SandhyaMridul and AmyraDastur, singer SonaMohapatra and Nath's co-star NavneetNishan came out about their unsavoury harassment experiences.	1.AlokNath has dismissed all the allegations levelled against him. 2.He says it is useless to react to these allegations since "in today's world, whatever a woman says, only that will be considered."	AlokNath has moved a civil suit against writer-director Vinta Nanda, seeking a public apology. Nanda has lodged complaint against Nath at Oshiwara Police Station in Mumbai. Nathrefused to respond to a notice issued to him by the Indian Film and Television Directors Association (IFTDA) over the harassment allegations. IFTDA has now decided to take strong action against the actor. The Cine and TV Artists Association (CINTAA) expelled AlokNath following various allegations of sexual harassment

				and misconduct
5.	Nana Patekar (Actor)	Bollywood actor TanushreeDutta has accused Nana Patekar of sexual misconduct during the shooting of ‘Horn ‘OK’ Pleassss’ in 2008.	1.NanaPatekar denied the allegations citing them as false accusations by the actress. 2.He described Tanushree’s claims of sexual harassment a ‘lie’.	TanushreeDutta has filed an FIR with the police against Nana Patekar, choreographer Ganesh Acharya, director RakeshSarang and producer Samee Siddiqui. Patekar has slapped Dutta with a legal notice and demanded a written apology from her. Meanwhile, he has pulled himself out of the movie “Housefull 4”, saying he does not want to cause inconvenience to the people involved with the project.

• **Sexual harassment allegations against CJI- RanjanGogoi**

The wave of #MeToo movement brought back spotlight with these sexual harassment allegations against Justice RanjanGogoi, the spotlight is back on similar cases, with the highest judicial office in the country coming under scrutiny for its failure to protect its female staff.⁵⁷

Facts- A junior court assistant had sent a complaint on April 19, 2019 to 22 Supreme Court judges, narrating a series of events, spelling out how Mr.Gogoi allegedly sexually harassed her.

Later, a battery of lawyers staunchly defended allegations of sexual harassment against the highest judicial office in India, while allegations of sexual harassment stung Chief Justice of India RanjanGogoi. This episode brought back the spotlight on the #MeToo movement which had recently surfaced, with women across the board speaking about episodes of sexual harassment at the workplace. With Justice Gogoi, however, the spotlight is back once again on similar cases, with the highest judicial office in the country coming under scrutiny for its failure to protect its women staff.⁵⁸

“Women do need to speak up against acts like sexual harassment and women and other employees need to know what the true meaning of this act in letter and spirit. We should be able to create a safer and better working atmosphere for women,” that was said by Rashmi Singh, a women’s rights activist.⁵⁹

The complainant, in her affidavit, spelt out explicit details of Gogoi’s advances. The CJI stated that how he was targeted, adding that for him honour came first with all these baseless allegations coming across as an apparent “conspiracy to malign” his image.

• **FEMINISTS AS MAN HATERS**

⁵⁷<https://livelaw.com//thecjosexualharassmentcase//thesupremecourtnews> Retrieved on 5.6.2019 at 9:29 Pm

⁵⁸ <https://livelaw.com//thecjosexualharassmentcase//thesupremecourtnews> Retrieved on 5.6.2019 at 9:29 Pm

⁵⁹<https://www.indiatoday.in/india/story/cji-sexual-harassment-judges-refuse-hearing-victim-1517369-2019-05-05>

Misandry is the hatred of, contempt for, or prejudice against men or boys. Misandry manifests itself in numerous ways, including sexual discrimination, denigration of men, violence against men, and sexual objectification of men.

It is parallel in form to 'misogyny'. A term with a similar but distinct meaning is androphobia, which constitutes fear of men. Men's rights activists and other masculinist groups have criticized modern laws concerning divorce, domestic violence, and rape as examples of institutional misandry.

The accusations of man-hating have been used to put down feminists and to shift attention onto men, reinforcing a male-centered culture. This culture offers no comparable anti-male ideology to misogyny and that people often confuse men as individuals with men as a dominant and privileged category of people and that reality of women's oppression, male privilege, and men's enforcement of both, it's hardly surprising that every woman should have moments where she resents or even hates men.⁶⁰

4.3.1 THE IMPACT OF DIGITAL FEMINIST ACTIVISM

Feminsim is the theory of the political, economic, and social equality of the sexes. The Digital feminist movement, like any other social movements is constantly changing the present wave of feminism, activism and advocacy for equality for all people despite race, class, religion, age or sexual orientation is at the heart of the feminist agenda.

The only thing that all feminists have in common is that we are all committed to achieving political, economic and social equality of sex, race and class. Feminism encompasses a huge variety of people and positions. Feminists are religious, atheistic, married, single, dating, in open relationships and in polyamorous relationships, they are LGBTQIA, straight and asexual, transsexual, female, male and gender queer, feminine, masculine, all of the above and none of the above. They are pro-choice, pro-life, politically liberal and politically conservative, young, young at heart and old. Unfortunately, these digital feminists often face false stereotypes, including:

- Feminists hate men.
- Feminists are angry.
- Feminists are unattractive and not feminine.
- All feminists are lesbians.
- Feminists are all pro-choice.
- If you are a feminist, you cannot be religious.
- All feminists are career women and do not support stay-at-home moms.
- Feminists can only be women.
- Feminists don't believe in marriage.

4.4 MENINISM AS #YOUTOO

Meninism in itself is not a legitimized movement, and it seems to have originally started on Twitter as a hashtag. It is often referred to as satirical, with its main purpose to respond to and point out the flaws of modern feminism. Regardless of its goal or intent, meninism has offered a platform for men to voice hurtful and demeaning arguments against feminists. The repeated meninist accusation that women are simply unable to take a joke and thus are not just laughing at Meninism only worsens the problem.⁶¹

While meninism is not regarded as an actual movement, there are several genuine men's rights activists (MRAs) and organizations considered legitimate. Sometimes, these MRAs state the same grievances as meninists.

⁶⁰<https://livelaw.com//thecjisexualharassmentcase//thesupremecourtnews> Retrieved on 5.6.2019 at 9:39 Pm

⁶¹ Feminism and Indian Constitution, Article Number: QZR566920 Volume 01 Issue 01, By PremPratap Singh Chauhan, Tathagat Sharma, Retrieved on 4.5.2019 at 10:09 Pm

Though not all of these MRAs are negative, it is important to be aware of the motives of some of the more potentially harmful MRA organizations. Their basic arguments of like this potentially boils down to, "What about men?"

- So what actually about men?
- Are there statistics to back up the arguments that meninists and MRAs are making?
- Is it really unfair to take the spotlight off men in order to focus on gender equality, as meninists may believe?
- Are feminists victims and meninists accused ?

The answers to all the above questions is that, meninists seem to be poking fun at feminists for depicting themselves as victims. They do so by pointing out the supposed oppression of males. Regardless of any humorous intentions, this argument calls for some investigation.

Meninists and MRAs have often mentioned the male #MeToo movement which is called #YouToomovement. Victims of sexualisation- Another concern for meninists is the sexualization of men in the media. With Hollywood and Bollywood movies and social media, some men may feel they are just as much a target of objectification as women. However, according to National Post, several studies point out the lack of harm in seeing men in less clothing compared to women. It is also important to point out, as National Post does, that the sexualization of men in media is not so often accompanied by sexual harassment or less pay, as it is with women.

- #YOUTOO:The #MeToo Movement For Indian Men

With so many celebrity accusers and accused, India is finally seeing its #MeToo movement. Along with the movement we are also seeing a divide in opinions about the #MeToo movement and it is a spectrum ranging from outright denial to open acceptance, with ignorance being in the middle. Like a non-argumentative Indian, we have slept comfortably under the garb of ignorance avoiding any debate on such matters. However, there is always a question that are been frequently asked that is *Why are so many women "crying" all of a sudden? What will they achieve by sharing the stories on social media?*

The answer to this question is that, we are seeing so many posts because Indian women are collectively sharing their ordeals, empowered by the network effect of social media. While some women will name the person who allegedly abused them, others will not. The whole idea is to bring to the limelight what the society has blindfolded itself to. Also, it is not only women who are "crying". Even some men have come forward with the stories of harassment they have faced.

Since factors like class, race, gender, sexual orientation and ability have to be taken into consideration when understanding masculinity, it's important to note the complexities of masculine privilege from an intersectional lens. Masculine privilege is the idea that men are afforded unearned benefits, rights, and advantages in society. These privileges are often times invisible to men and can be difficult to notice because they are so normalized. For men with marginalized masculinities, masculine privilege operates differently because they are privileged as men but hold at least one oppressed identity.

- *Masculinity and Violence: Men, Violence and the Crisis in Masculinity*

Since violence is one of the key tenants of hegemonic masculinity, it's important for us to take a moment to unpack some of the complexities surrounding the topic. In recent years some men have recognized the fact that a vast majority of violence is committed by men and therefore its men's responsibility to address it, and not only is male violence directed towards women, statistics show that men are more often than not victims of other men's violence. This is especially true for queer and transmen, who experience violence at higher rates than straight cisgender men.⁶²

This is also the case when we focus in on the statistics for sexual violence. One in six men will be sexually assaulted in their lifetime, often times by other men. When we break the statistics on violence up by gender it becomes obvious that there is something going on with contemporary masculinity and the idea that being violent makes one more of a man. These statistics do not imply that all or even most men commit violence,

⁶² Feminism and Indian Constitution, Article Number: QZR566920 Volume 01 Issue 01, By PremPratap Singh Chauhan, Tathagat Sharma, Retrieved on 4.5.2019 at 10:30 Pm

sexual or otherwise. It just means that men have an even greater responsibility to hold other men accountable and to not condone this behavior when it occurs.⁶³

While the scope of male socialization might seem pervasive there's hope in knowing that as individuals we have the power to question what we've been taught, examine how we perpetuate this cycle, and encourage others to do the same. All men have either experienced male violence or know someone who has and it's time for men to join together to embody forms of masculinity that everyone will benefit from.

CONCLUSION & SUGGESTIONS

It's Time that we all see

Gender as a spectrum,

Instead of two sets of opposing ideals.

-Emma Watson

6.1 CONCLUSION

It is evident from the above discussion that the Constitution of India contains various provisions relating to equality between men and women and there are certain cases where women have been given special importance. Along with that certain legal provisions for women have been enacted viz: the Factories Act, Maternity Benefit Act, Dowry Prohibition Act, Equal Remuneration Act, Child Marriage Restrain act, Medical Termination of Pregnancy Act, National Commission for Women Act, Protection of woman from domestic violence Act, Protection of women against sexual harassment at workplace etc. However, till date that are violated now and then. Gender based violence are increasing at an alarming rate. The Verma Committee Report of 2013, gave a detailed over view of the crimes relating to women and suggested certain reforms. The researcher personally believe that the increase in women-related violence is the direct result of the fact that differences between men and women are more highlighted lately and women are provided with certain temporary privileges. Equality should be brought back to a place where both men and women can embrace it and it needs to be re-claimed in a way that is inclusive of men. When violence against women is highlighted through media, violence against men should also be brought into account. It must be remembered that when women are expected to stay at home, protect the family and be good mothers, men are expected to go out and be bread-earners. If women are oppressed by the social idea of beauty, men are oppressed by the social idea of success. The researcher believe that the present idea of equality is less dynamic in its approach and it must be re-claimed in a way to which even men can relate. Then only equality in the true sense of the term would be possible. The researcher would like for any meninists out there to think about the women in their lives. Think about your moms, sisters, cousins, teachers, etc. Then really think about the things you have tweeted or wrote. *Would they be proud to see that you have said such hateful things?* The answer here is no. The researcher believes that feminists and meninists both here have responsibilities. We all are responsible for educating these stereotypes by showing them what feminism is really about, what gender equality is.

A little over half of people in the world are women. If you care about equality for your mother, sister, grandmother, aunt, cousin, girlfriend, wife, or friend who is female, then feminism should be important to one. Additionally, feminism is about equality for all marginalized groups equality for those who are LGBTQIA, disabled, and ethnic and racial minorities.

Caring about feminism means caring about people who fit into these categories. And finally, feminism is not only committed to changing negative stereotypes about being a woman. A large facet of feminism is understanding stereotypes about masculinity and the effect these stereotypes have on society and what it means to be a man.

One of the focuses of feminism and movement towards equality is a focus not only on interpersonal interactions but on the systems which influence social inequality. While we, personally, may not be prejudiced, that does not change the fact that we live in a society where racism/sexism/classism/heterosexism/ableism

⁶³DwijendraNath Thakur, Feminism and Women Movement in India, Research Journal of Humanities and Social Sciences (2008), Retrieved on 4.5.2019at 10:30 Pm

still impact the lives of people who do not fit in to the 'preferred' group. Admitting that we possess some quality that is favoured in society isn't a personal failing or a bad thing in fact, recognizing our own privilege is a huge first step in recognizing the ways in which inequality affects groups of people. Sex is whether or not someone is male or female. Gender is the social construction of feminine and masculine traits.

This study examined whether negative stereotypes about feminists serve as a barrier to self-identifying as a feminist. As soon as the word 'feminist' leaves our lips, some people start forming opinions that, like how we hate men and don't think anybody should be allowed to shave, and all the other feminist stereotypes that need to go.

Digital Feminism got such a bad reputation that discussions and debates popped up of changing the word to equalism or humanism. The researcher in this study is sure that we can all appreciate the goal in doing this, but there's a large group of people who believe feminism needs to be called feminism, and for a number of good reasons. Perhaps more importantly than anything, we do not need to change the word feminist or bring a defence like meninist but rather, we need to change feminism itself, and the way we view it.

The researcher's final opinion about the '#MeToo Movement' is that a lot of stories surfaced in the #MeToo movement are true. The researcher agrees that some stories may be false and half-baked truths as well support the #MeToo movement but we can not call someone a harasser only because of one allegation. Moreover, we should hope that women do not dilute this movement by sharing false stories. The probability of someone being innocent decreases with the number of charges against him/her.

What the researcher believes is to sincerely hope that more women and men should come up with their (true) stories and empower this movement further. The meninist movement has got all of us feeling like we have all taken a step back from the progress we have made toward equality. When the movement was first heard, it was taken some sort of skit or joke that the Saturday Night Live shows had come up with. Upon realizing that it was a joke turned into a serious thing, we all got in shock. As scrolled through the meninist hashtag on various social media platforms, appalled to see the posts that were being made. It felt as if it had delved into some sort of anti-feminist hell which basically is what it was.

Most of the posts were about how men too have real curves and questioned why men must open doors and pay for dates. Some posts were even more extreme and hard to see that they even exist, parodying anti-rape posters. It was extremely frustrating to see the work that feminists have been doing being erased by a group that had no legitimacy.

It was shocking what brought about these meninists is the lack of education and understanding that men have about what feminism is. The researcher cannot stress enough that feminism is about equality between the genders. It is about females gaining the unseen privileges that men have had for decades. It is about females being able to be whomever they want, without receiving backlash from society.

There are not large statistics on this due to the fact that men rarely report sexual assault. This is a serious issue that is not to be taken lightly, and as a feminist, we are all against rape, no matter what sex or gender has been harmed. These meninists have a warped and inaccurate view of what feminism is and what feminists are trying to achieve. What one should support is gender equality.

Gender equity is the process of being fair to women and men. To ensure fairness, strategies and measures must often be available to compensate for women's historical and social disadvantages that prevent women and men from otherwise operating on a level playing field.

Equity leads to equality. Gender equality requires equal enjoyment by women and men of socially-valued goods, opportunities, resources and rewards. Where gender inequality exists, it is generally women who are excluded or disadvantaged in relation to decision-making and access to economic and social resources. Therefore a critical aspect of promoting gender equality is the empowerment of women, with a focus on identifying and redressing power imbalances and giving women more autonomy to manage their own lives.

6.2 SUGGESTIONS

Gender equality does not mean that men and women become the same, only that access to opportunities and life changes is neither dependent on, nor constrained by, their sex. Achieving gender equality requires women's empowerment to ensure that decision-making at private and public levels, and access to resources are no

longer weighted in men's favour, so that both women and men can fully participate as equal partners in productive and reproductive life.

Taking gender concerns into account when designing and implementing population and development programmes therefore is important for two reasons:

- First, there are differences between the roles of men and women, differences that demand different approaches,
- Second, there is systemic inequality between men and women. Universally, there are clear patterns of women's inferior access to resources and opportunities. Moreover, women are systematically under-represented in decision-making processes that shape their societies and their own lives.

This pattern of inequality is a constraint to the progress of any society because it limits the opportunities of one-half of its population. When women are constrained from reaching their full potential, that potential is lost to society as a whole. Programme design and implementation should endeavour to address either or both of these factors.

Gender equality is intrinsically linked to sustainable development and is vital to the realization of human rights for all. The overall objective of gender equality is a society in which women and men enjoy the same opportunities, rights and obligations in all spheres of life. Equality between men and women exists when both sexes are able to share equally in the distribution of power and influence; have equal opportunities for financial independence through work or through setting up businesses; enjoy equal access to education and the opportunity to develop personal ambitions, interests and talents; share responsibility for the home and children and are completely free from coercion, intimidation and gender-based violence both at work and at home.

Within the context of population and development programmes, gender equality is critical because it will enable women and men to make decisions that impact more positively on their own sexual and reproductive health as well as that of their spouses and families.

Decision-making with regard to such issues as age at marriage, timing of births, use of contraception, and recourse to harmful practices such as female genital cutting stands to be improved with the achievement of gender equality.

However it is important to acknowledge that where gender inequality exists, it is generally women who are excluded or disadvantaged in relation to decision-making and access to economic and social resources. Therefore a critical aspect of promoting gender equality is the empowerment of women, with a focus on identifying and redressing power imbalances and giving women more autonomy to manage their own lives. This would enable them to make decisions and take actions to achieve and maintain their own reproductive and sexual health. Gender equality and women's empowerment do not mean that men and women become the same, only that access to opportunities and life changes is neither dependent on, nor constrained by, their sex.

The achievement of gender equality implies changes for both men and women. More equitable relationships will need to be based on a redefinition of the rights and responsibilities of women and men in all spheres of life, including the family, the workplace and the society at large. It is therefore crucial not to overlook gender as an aspect of men's social identity. This fact is, indeed, often overlooked, because the tendency is to consider male characteristics and attributes as the norm, and those of women as a variation of the norm.

Societal norms and conceptions of masculinity and expectations of men as leaders, husbands or sons create demands on men and shape their behaviour. Men are too often expected to concentrate on the material needs of their families, rather than on the nurturing and caring roles assigned to women. Socialization in the family and later in schools promotes risk-taking behaviour among young men, and this is often reinforced through peer pressure and media stereotypes. So the lifestyles that men's roles demand often result in their being more exposed to greater risks of morbidity and mortality than women. These risks include ones relating to accidents, violence and alcohol consumption.

Men also have the right to assume a more nurturing role, and opportunities for them to do so should be promoted. Equally, however, men have responsibilities in regard to child health and to their own and their partners' sexual and reproductive health. Addressing these rights and responsibilities entails recognizing men's specific health problems, as well as their needs and the conditions that shape them.

The adoption of a gender perspective is an important first step; it reveals that there are disadvantages and costs to men accruing from patterns of gender difference. It also underscores that gender equality is concerned

not only with the roles, responsibilities and needs of women and men, but also with the interrelationships between them.

Being a researcher I do believe in equal rights for women, I have just never been the stand up and state my opinion kind of person. But recently, certain movements have been making me rethink that. It normally takes a lot to get me mad. So it is nothing small when I say this: Meninism infuriates me. If you have heard of this movement, it's basically an anti-feminist group. They believe women are using feminism as a way to promote themselves higher than men. In response, they are trying to take these women down a notch. On Twitter "#meninism" is used for offensive remarks about women in general as well as jokes about sexual assault and double standards.

There are few questions that always strikes us that surely need to be discussed-

Q1. The question which arise is, *If we ever find someone saying that "I'm not a feminist, but I am for equality," then we should ask why do you claim the title?*

A1. If it is because of the misconceptions of what a feminist truly is then one should empower to raise awareness about what feminism is really all about.

Q2. *What has digital stereotype feminism has done?*

A2. Feminism and the fight for equality has drastically changed the landscape of our nation and the world. Feminists want women to be more powerful than men and doesn't make them sexist. Digital Feminism is a force that attempts to unravel the sexist framework of our society, and as a result, has been met with a certain amount of opposition. 'Feminist' has become a dirty word as it conjures up images of angry, hairy women who yell at men for holding open doors. Feminism is portrayed as an ideology that uproots the family structure and is incompatible with feminine ideals due to potray of wrong idea at the social and digital plattform. In reality, feminism is rather different from the view that our culture provides. In general terms, feminism is simply advocacy for political, social, and economic equality for all people, regardless of gender. It involves recognizing that we still live in a culture flawed by institutional inequalities such as sexism, racism, and heterosexism, and that many groups in our society face unique challenges as a result. It involves not only acknowledging these inequalities, but also actively working to eradicate them.

Q3. *Considering this (above) definition, why has feminism gained such a negative reputation?*

A3. Put simply, demonizing feminism has become a defense mechanism. Feminism identifies flaws in both our media and our culture as a whole. It calls the media out for the harmful messages it sends to viewers about women. It interferes with the way companies sell their products.

Q4. *What better way to maintain the status quo than to promote negative views of feminism itself?*

A4. Feminism and the media don't have to be at odds with each other. The media isn't inherently harmful it's simply been used to promote problematic messages about women and other vulnerable groups. In fact, the media can be a powerful tool in fighting for the empowerment of women, rather than against it. In order to achieve gender equality, our culture must undergo a gradual psychological shift that we must reshape the way we think about women's roles, abilities, and identities. The media is a crucial element of this shift. The media helps shape our perception of our world and the people in it, so if we see women and men both equally represented in the media, we'll begin to believe that representation is both possible and necessary in reality as well.

Q5. *What Digital Feminism would have actually been doing?*

A5. Feminists are all about equality between genders which means feminists donot have to create women more powerful than men any more than they want men more powerful than women. What may seem like a discriminatory act against men is actually an attempt to level the playing field between men and women.

Q6. *But men and women are already equal-- why does feminism still exist?*

A6. While huge strides have been made towards complete gender equality, a great deal of work remains to be done, both in the India and abroad, including the gender pay gap, access to reproductive healthcare, protection against sexual assault and violence and gender representation in media, among other issues.

Like any social movement, feminism is not perfect. There are certainly those who take it too far. Those people don't represent the feminist movement, despite what the meininist posts say. Trying to take down feminists

because of a few crazies shows exactly why we need feminism. Women should be mocked for trying to stand up to oppression. Feminism stands for equality. Meninism claims it is doing the same, but in reality it is working backwards.

“The Hypothesis of the research work was that *“Feminism has been misunderstood, as it means equality of genders and not superposing of women above men., on the other hand meninism in itself is not a legitimized movement, and it seems to have originally started to respond to and point out the flaws of modern feminism. It has offered a platform for men to voice hurtful and demeaning arguments against stereotype feminists. The Constitution of India has inbuilt, the idea of gender equality which has been overblown by hyper feminism. The basic understanding which have been received by the researcher is that the terminologies like ‘FEMINISM’ & ‘MENINISM’ has distorted the idea of ‘Gender Equality’, that’s the only reason their has been inequalities among these genders”.* This Hypothesis seems to be true and this should be implemented by the law makers as well as the civil society.

EPILOGUE

Men are losing nothing by supporting women, so whatever your gender is, do not support or be a part of the kind of movements explained in the research. Even if you do not like the idea of feminism, meninism is not the answer. To the readers the answer which could probably be suggested in the end is that -

“It’s Not Being A Man

Or

It’s Not Being A Woman

Rather It’s An Individual Thing”

BIBLIOGRAPHY

*‘Gender Equality is the unfinished business
of the 21st Century.’*

-Christine Lagrade

ARTICLES:

- ❖ **Author:** MaitrayeeMukhopadhyay and Navsharan Singh
Name: *‘Gender Justice, Citizenship and Development: A Critical Analysis’*
Published By: International Development Research Centre, 2010
Retrieved on: 5.6.2019 at 09:45 Pm
- ❖ **Author:**Dr.Poornima Jain
Name: *‘Gender Justice and Inclusion’*
Published By: Astral International Publication, 2011
Retrieved on:10.4.2019 at 12:15 Pm
- ❖ **Author:** MadhuKishwar
Name: *‘Off the Beaten Track: Rethinking Gender Justice for Indian Women’*
Published By: Wizardlaw Publications, 2011
Retrieved on: on 10.4.2019 at 09:45 Pm
- ❖ **Author:** Dr.MaddiSrinivas Reddy
Name: *‘Feminism and its Politics: Analysing the light of Indian Constitution’*
Published By: Allahabad Central Publications, 2013
Retrieved on: 6.6.2019 at 11:00 Pm
- ❖ **Author:** Leila Seth
Name: *‘Justice:People’s right in Mordern India’*
Published By: Allahabad Central Publications, 2014

Retrieved on: 4.5.2019 at 11:00 Pm

❖ **Author:** AdhirajDey

Name: 'Nirbhaya, New Media and Digital Gender Activism'

Published By: Prakash and Sonipat Publications, 2017

Retrieved on: 3.4.2019 at 12:00 Pm

BOOKS:

❖ **Writer:** Dr.P.K.Pandey

Name: 'Human Rights & Gender Justice'

Published By: Central Law Publications, 2011

Retrieved on: 6.6.2019 at 11:00 Pm

❖ **Writer:** Justice SunandaBhandare&Murlidhar C. Bhandare

Name: 'Gender Justice Feminist Jurisprudence'

Published By: Punjab Law Publications, 2008

Retrieved on:10.4.2019 at 12:15 Pm

❖ **Writer:** TamannaKhosla,

Name:'Personal Laws in India, Recincilling Diversity with Gender Justice'

Published By: Vitasta Publication, 2012

Retrieved on: 3.4.2019 at 12:10 Pm

❖ **Writer:** Juliette G.Duata

Name:'Gender Justice and Proportionality in India, Comparative Perspective'

Published By: Amar Law Publications, 2016

Retrieved on: 3.4.2019 at 12:15 Pm

❖ **Writer:**Menia Hong Tschalaer

Name: 'Muslim Women's Quest for Justice, Gender, Law and Activism in India'

Published By: Times Magazine, 2013

Retrieved on: 23.4.2019 at 11:00 Pm

❖ **Writer:** Mary Scaria

Name:'Human Rights Law and Gender Justice'

Published By: Wizard Publications, 2009

Retrieved on: 23.5.2019 at 12:00 Pm

❖ **Writer:** Annie Delaney & Jane Tate

Name: 'Working Women: A Gender Justice Perspective'

Published By: E-Book, www.americanexpress.com

Retrieved on: 23.5.2019 at 12:00 Pm

BARE ACTS:

- ❖ The Civil Procedure Code, 1908
- ❖ The Constitution of India, 1950.
- ❖ The Criminal procedure Code, 1973.
- ❖ The Criminal Law (Amendment) Act, 1983
- ❖ The Dowry Prohibition Act, 1961
- ❖ The Equal Remuneration Act, 1976
- ❖ The Hindu Marriage Act, 1955
- ❖ The Hindu Succession Act, 1956 with amendment in 2005
- ❖ The Immoral Traffic (Prevention) Act, 1956
- ❖ The Indian Penal Code, 1860.
- ❖ The Maternity Benefit Act, 1961 (Amended in 1995)

- ❖ The Prohibition of Child Marriage Act, 2006

CONVENTION:

- ❖ **Name:**CILO Declaration on Fundamental Principles and Rights at Work committee The preparatory Committee, December, 1989
Retrieved on: 23.5.2019 at 12:00 Pm
- ❖ **Name:** Convention on the Political Rights of Women (1954)
Retrieved on: 01.3.2019 at 10:00 Pm
- ❖ **Name:** Convention to the Consent of Marriage, Minimum Age of Marriage, and Registration of Marriages (1964)
Retrieved on: 22.5.2019 at 1:00 Pm
- ❖ **Name:** Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979)
Retrieved on: 3.4.2019 at 10:00 Am
- ❖ **Name:**Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) (2014)
Retrieved on: 21.4.2019 at 3:00 Pm
- ❖ **Name:** Discrimination (Employment and Occupation) Convention (1958)
Retrieved on: 4.5.2019 at 10:00 Am
- ❖ **Name:**Declaration on the Protection of Women and Children in Emergency and Armed Conflict (1974)
Retrieved on: 24.4.2019 at 2:40 Pm
- ❖ **Name:**Declaration of the Elimination of Violence against Women (1993)
Retrieved on: 4.6.2019 at 1:45 Pm
- ❖ **Name:**Equal Pay Equity and Maternity Protection , in June 2004.
Retrieved on: 2.6.2019 at 2:30 Pm
- ❖ **Name:**Maputo Protocol – Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (2003)
Retrieved on: 15.6.2019 at 10:00 Pm
- ❖ **Name:**Resolution concerning Gender Equality at the Heart of Decent Work , June 2009;
Retrieved on: 13.4.2019 at 7:30 Pm

DICTIONARY:

- ❖ Black’s Law Dictionary by Bryan A.Garner
- ❖ Concise Law Dictionary, Fourth Edition,2012 by P RamanathaAiyar, LexisNexis ButterwirthsWadhwa
- ❖ Merriam-Webster’s New Collegiate Dictionary
- ❖ Oxford Dictionary of La

JOURNAL:

- ❖ **Name:**ANTYAJAA: Indian Journal of Women and Social Change
Retrieved on: 27.3.2019 at 2:00 Pm
- ❖ **Name:**Envisioning and Striving towards Gender Justice, Vol. 52, Issue No. 40, 07 Oct, 2017
Retrieved on:28.4.2019 at 7:33 Pm
- ❖ **Name:** Indian Journal of Gender Studies (<https://journals.sagepub.com/home/ijg>)
Retrieved on: 4.4.2019 at 6:30Am

MAGAZINE:

- ❖ www.carvanmagazine.in
- ❖ www.timesagazine.com
- ❖ www.voicemalemagazine.org

NEWS PAPERS:

- ❖ www.indiapress.org
- ❖ www.indianexpress.org
- ❖ www.thehindu.com
- ❖ www.timesofindia.indiatimes.com

RELIGIOUS BOOK:

- ❖ THE HOLY BHAGWAT GITA, 7th chapter 8 and 9 slokas.
- ❖ THE HOLY BIBLE, Genesis 1:26-28, Ephesians 5:22-24, Vol. 21, No. 1 (Spring, 2005), pp. 81-100
- ❖ THE HOLY QURAN, Quranic verse number 34 of Surat An-Nisa 3:195 (Shaykh-ul-Islam Dr Muhammad Tahir-ul-Qadri)

RESOLUTIONS:

- ❖ The Beti Bachao Beti Padhao, 2015
- ❖ Commission on the Status of Women and UN Security Council Resolution 1325
- ❖ Kickstart Equality Campaign by UNFPA
- ❖ [National Youth Policy 2014](#)
- ❖ The National Plan of Action for the Girl Child (1991-2000)
- ❖ Support to Training and Employment Programme (STEP) for Women
- ❖ UNiTE to End Violence against Women campaign by United Nations in 2008
- ❖ Women helpline scheme, 2015
- ❖ Working Women's Hostel (WWH)
- ❖ Youth ki Awaaz.

REPORTS:

- ❖ **Title:** XII Five Year Plan Report of the Working Group on Women's Agency and Empowerment by Ministry of Women and Child Development, Government of India
 - **Retrieved on:** 15.6.2019 at 10:00 Pm
- ❖ **Title:** An Overview of Women's Work and Employment in India, Amsterdam Institute of Advanced Labour Studies, 2010
 - **Retrieved on:** 15.6.2019 at 10:00 Pm
- ❖ **Title:** Beverley Baines, Daphne Barak-Erez, and Tsvi Kahana (eds). Feminist Constitutionalism. Global Perspectives. Cambridge University Press, 2012. 494 pages. ISBN: 9780521761574, Anna Katharina Mangold
 - **Retrieved on:** 13.4.2019 at 7:30 Pm
- ❖ **Title:** Constitutional & Administrative Law Equality of Opportunity in Public Employment, Equality of Opportunity in Public Employment On January 12, 2015 By Dipti Khatri
 - **Retrieved on:** 4.5.2019 at 10:00 Am
- ❖ **Title:** Jurisprudence And Legal Theory, 433-34 (5th Ed. 2012) by Dr. S.P. Dwivedi,
 - **Retrieved on:** 14.5.2019 at 9:00 Am
- ❖ **Title:** Dwijendra Nath Thakur, Feminism and Women Movement in India, Research Journal of Humanities and Social Sciences (2008)
 - **Retrieved on:** 13.4.2019 at 7:30 Pm
- ❖ **Title:** Executive Summary : Report on the Status of Women in India by High Level Committee on the Status on Women, 2017
 - **Retrieved on:** 6.5.2019 at 10:50 Am
- ❖ **Title:** Feminism and Indian Constitution, Article Number: QZR566920 Volume 01 Issue 01, By Prem Pratap Singh Chauhan, Tathagat Sharma
 - **Retrieved on:** 4.5.2019 at 10:00 Am
- ❖ **Title:** Gender Justice and Labour in India: A Critical Analysis by Irwin Cheema

- Retrieved on: 24.5.2019 at 8:00 Am
- ❖ Title:G. Raveendran, Contribution of Women to the National Economy, ILO Asia Pacific Working Paper Series, 2010.
 - Retrieved on:14.5.2019 at 1:00 Pm
- ❖ Title:India Human Development Report – 2011, Institute of Applied Manpower Research, Government of India
 - Retrieved on:4.5.2019 at 10:00 Am
- ❖ Title:Law, religion and gender equality: literature on the Indian personal law system from a women's rights perspective by TanjaHerklotz
 - Retrieved on: 14.6.2019 at 12:00 Am
- ❖ Title:Mahendra Pal Singh (Ed.), V.N. Shukla's Constitution Of India, 87-88 (12 Ed. 2016)
 - Retrieved on: 14.6.2019 at 12:09 Am
- ❖ Title:National Family Health Survey (NFHS- III), 2005-06
 - Retrieved on:5.5.2019 at 11:00 Am
- ❖ Title:National Crime Records Bureau (NCRB), Crime Statistics, 2010 Census, 2001 and 2011
 - Retrieved on:5.5.2019 at 11:50 Am
- ❖ Title:Power, Voice and Rights 2010, Asia Pacific Human Development Report, UNDP
 - Retrieved on:4.5.2019 at 10:00 Am
- ❖ Title:Women's Equality and Gender Justice in India by Dr.Maheshwar Singh NLU, Delhi
 - Retrieved on:4.5.2019 at 10:00 Am

WEB SOURCE:

- ❖ <https://www.geographyandyou.com/life/women-studies/legislations-for-enabling-gender-justice-in-india/>Retrieved on:3.4.2019 at 1:00 Am
- ❖ https://www.academia.edu/4362417/Gender_Justice_The_Constitutional_Perspectives_And_The_Judicial_ApproachRetrieved on:3.4.2019 at 1:23 Am
- ❖ http://www.legalserviceindia.com/articles/gen_j.htmRetrieved on: 14.6.2019 at 10:00 Pm
- ❖ <https://www.lawctopus.com/academike/gender-justice-a-myth/>Retrieved on:4.3.2019 at 2:30 Pm
- ❖ <https://www.law.indiana.edu/api/curricula.php?course=125>Retrieved on:24.5.2019 at 1:50 Pm
- ❖ <https://www.insightsonindia.com/wp-content/uploads/2013/07/platform-for-action-report-on-indian-women.pdf>Retrieved on:6.5.2019 at 6:40 Pm
- ❖ <https://economictimes.indiatimes.com/magazines/panache/2018-the-year-when-metoo-shook-india/2018-the-year-of-metoo-in-india/slideshow/66346583.cms>Retrieved on:4.5.2019 at 10:00 Am
- ❖ <https://www.evergreen.edu/catalog/offering/feminist-jurisprudence-16329>Retrieved on:19.5.2019 at 7:50 Am
- ❖ <http://in.one.un.org/page/reports-on-gender-equality-and-empowerment/>Retrieved on:14.4.2019 at 1:40 Pm
- ❖ <http://in.one.un.org/task-teams/gender-equality-and-empowerment/>Retrieved on:28.4.2019 at 4:30 Pm
- ❖ <https://www.epw.in/journal/2017/40/commentary/envisioning-and-striving-towards-gender-justice.html>Retrieved on:4.5.2019 at 10:00 Am
- ❖ https://www.law.cornell.edu/wex/feminist_jurisprudenceRetrieved on:4.5.2019 at 10:00 Am
- ❖ <http://www.duhaime.org/LegalDictionary/S/Society.aspx> Retrieved on:14.5.2019 at 7:30 Pm
- ❖ https://uk.sagepub.cm/sites/default/files/upm-binaries/86864_Ch_1.pdfRetrieved on:4.6.2019 at 10:08 Pm
- ❖ https://www.researchgate.net/publication/318403390_Gender_Law_and_JurisprudenceRetrieved on:4.6.2019 at 10:00 Am
- ❖ <https://www.who.int/gender-equity-rights/understanding/gender-definition/en/>Retrieved on:4.5.2019 at 8:50 Am
- ❖ <http://www.unwomen.org/en/digital-library/publications/2010/1/gender-justice-key-to-achieving-the-millennium-development-goals>Retrieved on:4.4.2019 at 8:00 Am
- ❖ <https://www.lawctopus.com/academike/equality-opportunity-public-employment/>Retrieved on:22.5.2019 at 10:50 Am
- ❖ <https://www.indiatoday.in/india/story/cji-sexual-harassment-judges-refuse-hearing-victim-1517369-2019-05-05>Retrieved on:14.3.2019 at 10:00 Am