

Gujarat National Law University

Gandhinagar, Gujarat, India

Gandhinagar, Friday February 10, 2017

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GNLU -UNICEF Panel Discussion, **Friday, 10 February 2017**

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Theme of the Panel Discussion : Gender Equality Breaking Barriers

Dear Sir/Madam,

Date: 10th February, 2017

Moderator: Rishika Baruah (Banjaara internet platform generating non-fiction content with prior experience at the Quint),

Panelists: Shriya Maini (Advocate practicing at the Supreme Court of India with specialization in Criminal Litigation and Dispute Resolution), Zakia Soman (co-founder of the Bharatiya Muslim Mahila Foundation and also a founder for Center for Peace Studies), Kishore Mandhyan (part of the Aam Aadmi Party at present and has in the past been a part of the Human Rights and IHL section to the UN Secretary General), Dr. Swati Singh (Vivekanda Institute of Management Professor for Marketing and Fashion Retailing), Nupur Sharma (spokesperson of the Bharatiya Janta Party and has been a part of the Youth wing of BJP as well as the DU Political circuit), Veena Bandhopadhyay (Policy planning and evaluation specialist- UNICEF)

Ms. Rishika commences the discussion with a recent report that stated that it shall take another 170 years for the gap between the equality of men and women to be bridged and though India has risen a few points, it still ranks 87th on this report. She puts forth that inequality finds its roots in poverty, in the religious traditions we have followed and are entrenched in society, in the skewed perception with regards to the entitlement to education of boys over girls. She lays down this background and food for thought and expresses her appreciation for all sectors of India being represented today in this discussion to allow for discourse that reaches an end.

Ms. Veena highlighted the idea of opportunities being made available on the basis of male or female is a starting point to establish such equality. She exhorts the young minds in the audience to be the change and the panelists to guide the young minds to provide the enabling environment for attaining gender equality.

Mr. Kishore say that while he understands that there is a need for urgency, especially in education, from both quantity and quality perspective, the question that needs to be asked is where we can set the threshold. And he believes that early childhood intervention is the way to begin though he is not very optimistic about quick results.

Ms. Zaika is now continuing from where Mr. Kishore left off and she is expressing that the discrimination on gender is much more fundamental and rooted in society so deeply and in a manner which affects all aspects of daily life that we need to move beyond merely childhood intervention. According to her, one of the most fundamental discriminations is gender and is as

Gujarat National Law University

Gandhinagar, Gujarat, India

old as the history of human kind- and this can begin to explain why a society supposed to be matrilineal has now been twisted to such a male dominant one. She further states that divisions such as caste and the constructs of otherness are all alienating in nature- and she provides examples of strife historically where women have fought battles regarding their ideas, their purity and bodies in the context of honour but have further been alienated and controlled in terms of their choices. According to her, crimes such as rape are not merely crimes but rather are manifestations of entrenchment of ideas and notions in society taken out on the bodies of women.

Ms. Rishika highlights the multi-pronged approach stressed over by Ms. Zaika. And following upon, she looks at Ms. Nupur, from a political background, and looks towards her for solutions in the context of progress for equality whereby the notion has always been that politics will put other aspects at the behest of electoral gain. According to Ms. Nupur, the youth is more than ready for women leaders who are more sensitive and better at management and troubleshooting of issues. She further puts forth that we don't seek to achieve a sex-neutral society because that would render redundant certain laws such as Maternity Benefit Act which seeks to provide women with more benefits than men which are essential given their biological differences. Continuing on, she puts forth that the ideas manifested in society are then practiced at home and it is through this cycle that the discrimination persists and is perpetuated. This is where individuals and policy makers together need to step in from different perspectives- consciousness and creating awareness- with regards to preventing such perpetuation of mindsets and she believes that this is worldwide.

Ms. Nupur said about the idea of perfect equality being a utopic concept, Ms. Swati is being questioned on how we seek to move forth to the idea of women and workplace within the framework of attaining equality.

According Ms. Shriya Maini, the biggest fallacy of the system is that the victim is often forgotten in the process of the justice addressal system in India in the procedure and the facts merely. She puts forth the need for sensitization and awareness.

We are back, on the point of representation of women, to Ms. Nupur, and she is questioned on whether representation is required through reservation to bring women to the fore. Ms. Nupur recounts the Reservation Bill raised when she was a child and how it had been torn in the Parliament. She puts forth that the policies and laws made are often only for personal interest and it is imperative to separate ourselves from these as such.

Ms. Zakia is brought in here with regards to her views about the representation of women and in the context of Muslim women and whether such representation would further interests. According to her, democracy is a representation of the society entirely but due to the prevalence of the patriarchy, this has been impeded. While we are a democracy, we are a society which is religious and our ethics are drawn from our understanding of religion and violation of women's rights is often in the name of religion to put limits on what women can and cannot do. So she believes that representation is essential and of all factions and views. She believes that if women were represented, especially in religion and law, such as in Qazi positions, as has begun, as long as they are accepted, we move towards a better society. To this the question raised is whether such acceptance lies.

Ms. Nupur has now stepped in with regards to the support of BJP for the women reservation bill and how it is within the Constitution of the party. However, she discusses how this should not

Gujarat National Law University

Gandhinagar, Gujarat, India

be mere numbers and lip-service and recounts how the need is not for merely representation but also for representative of a qualitative nature and not merely for name-sake.

Mr. Kishore has now been brought forth to express his opinion on this name-sake idea of representation of women in several for and how it seems good on paper and doesn't actually elevate the status of women in terms of improvement in society. According to him, symbolic representation of women in the Panchayats is extremely helpful to the betterment of adjudication in such domain and with regards to the representation in terms of a codification, it could be 50% also but the aim is from structures as above in society to improve the representation and to make it count. He recounts an anecdote with regards to partition of the property in his own family and the lack of patriarchy on part of the father or elders in the family in such decisions and representation of women but representation is essential.

Ms. Veena is now engaging on the idea of interaction of boys and girls from a young age and the need to broaden the idea of gender and to look at third and fourth genders. Ms. Rishika backs this up with the idea of Tinder, the Social Dating App, putting forth 37 genders to choose from. But before Ms. Veena commences, Mr. Kishore puts forth his ideas with recalling a similar question before the UN Secretary General in several contexts such as Arab Spring and the need to be ahead of the curve rather than behind it and he applauds Ban Ki Moon for work in the interests of transgenders. In the context of AAP, he talks about the initial lack of inclusion in the manifesto, but then they felt it was of prime importance and while discussing, it was ultimately edited due to the worry about the tussle between traditional ideas of sexuality and the newer ideas of sexuality.

Ms. Rishika seeks to have an opinion of the panelists with regards to going beyond the curve and taking the debate to a broader expansion of more than boys and girls. Ms. Veena puts forth her idea that the transformation in society can come only through human beings and all this needs is an equal investment for 18 years in both girls and boys because post that, maybe both genders will have the ability to move forward on their own from here. In the context of the Bill, there is a need to sensitize for the need for such than allowing notions of more preference to women being given to be allowed to perpetuate. She believes that there is a need to invest also on brothers and fathers who can help break the barrier.

Ms. Zakia is brought in with regards to the broader understanding of gender who responds with a quick 'definitely' because according to her sexuality is the right of the individual which is guaranteed under the law of the land and the UN Charter and there should be no barrier to an individual living his or her life with the partner of his or her choice. There should be no sexual moral policing according to her.

Ms. Shriya is now engaging with the idea of attitudinal shift towards gender equality and of a broader framework as the requirement- she talks about the problem of lack of trickle down but even a drop in the ocean making a big difference to make a start from somewhere. According to her, the attitude change can only come with opportunities and education- education is at the heart of the issue. Ms. Rishika adds that education has further collateral with the need for awareness.

Ms. Swati looks at the idea of what women are selling and are supposed to be as attractive-submissive and curvaceous figure, that can sum up the woman that is sought to be sold in advertisements. She talks about how we are now subtly promoting a particular body type and a

Gujarat National Law University

Gandhinagar, Gujarat, India

particular personality type and how this has become omnipresent due to the presence of social media and constant criticism on such platforms.

The next question is with regards to the gender responsiveness of the budget to which Ms. Zakia responds that there has been an explosion of knowledge in the past decade in a manner that we have made progress to this gender responsive budget being more efficient as well and according to her, there is a need to engage with the government and other such allied and non-allied institutions to help attain such ends of efficiency. Mr. Kishore steps in here as well and draws examples from ecological budgeting and looks at gender budgeting which requires accounting for taxation and subsidizing products in the manner of their importance for women and the need for the policy to give advantages to women as necessary outcomes of such budgeting. Ms. Nupur adds that there has been such budgeting but what is more important is that it should be gender sensitive and only then will it be more efficient.

The session comes to a close with the understanding that the idea of this panel discussion is not merely women and feminism but the idea of broader genders and the idea of broader solutions.

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