
**UNCONSCIOUS GENDER BIAS IN THE POLARISED WORLD: AN ATTEMPT AT EVOLVING
GENDER EQUALITY AS A HUMAN RIGHT**

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ABSTRACT

Gender denotes to the socially produced qualities of women and men, whereas sex refers to biologically established features. People are born female or male, but they must learn to be girls and boys before they may mature into women and men. Gender equality refers to all men, women, trans people, and genders having equal access to rights, opportunities, and justice. Achieving gender equality is a challenging endeavour and the world's most significant human rights problem in the current situation. Physical, sexual, and emotional injury, threats, coercion, and arbitrary loss of personal liberty are all examples of gender-based violence. The activities are not just directed at women but also the transgender population. Many initiatives have been done across the world to address the issue of gender inequality. It has been acknowledged as a critical problem by the highest international agency, the United Nations Organization, which states that it is a fundamental right that should be universally safeguarded. Gender equality is a basic right guaranteed by the Indian Constitution, and the Honorable Supreme Court has issued historic rulings granting equal status to everyone and protection against violence and gender exploitation from time to time. This study is a modest attempt to examine the function of several international and national organizations in reducing gender disparity and their success rate.

INTRODUCTION

Equality between men and women is a fundamental human right. Gender justice refers to a world envisioned by all men and women, boys and girls, who are weighed equally and equitably in the power structure. The knowledge and the resources are procured equitably but distributed unequally. Gender equality is not only a fundamental human right, but it is also necessary for a peaceful society, full human potential, and long-term progress.

"True equality requires that everyone be held to the same standards, regardless of colour, gender, creed, nationality, or political viewpoint."

By - Monica Crowley.

Article 2 of the Universal Declaration of Human Rights emphasizes towards everyone's rights and freedoms, regardless of race, colour, sex, language, religion, political or other opinions, national or social origin, property, or birth. The right to life and liberty, freedom from slavery and torture, freedom of thought and speech, the right to employment and education, etc., are all protected by human rights. These rights are available to everyone, irrespective of race or gender. These rights are extremely important for people's social and moral well-being and all persons since they provide them with freedom and dignity.

These fundamental rights are widely recognized as essential for men and women alike. Human rights are based on the principle of treating people with respect and treating them equally. Human rights offer significance to life since they are necessary for an individual's whole growth. Gender bias is a tendency to prefer one gender over the other. It is also the preferential treatment men receive, especially white men and heterosexual males. It is also labelled as 'sexist' as it describes the prejudice indeed based on her being a woman. It is visible in every segment of society, particularly within the process settings.

WOMEN INEQUALITY

Certain groups of people have always been vulnerable and denied their basic human rights. 'Women' is one such group. Half of the world's population is made up of women and girls, representing half of the world's potential. Women have essential fundamental rights, yet the dominant segment of society has always violated these rights. Women are discriminated against from the moment they are born. They experience prejudice in the form of abortions and subsequently female infanticide from the minute they are created. Gender boundaries are created at a young age and persist throughout a person's life.

"Discrimination against women, which denies or limits their equality of rights to those of males, is inherently unfair and an affront to human dignity." Discrimination against women is prevalent in all societies. The irony is that man's creator has always been exploited. Women are treated as second-class citizens all across the world. They are barred from participating in various activities due to their gender. Women's and girls' human rights are violated by gender inequality. The pay disparity still exists. Women are paid less than males. Hence they earn less. In 2017, the salary difference between men and women for full-time workers was 19.5 percent. If the yearly earnings ratio continues to change at the same rate as it has since 1960, men and women will not achieve parity for another 41 years until 2059.

Discrimination against women exists in all aspects of life, public and private. In many nations, women are barred from participating in athletics and sports. Saudi Arabia recently granted women voting rights in 2015, and women were only permitted to drive a vehicle in 2017. These women are harassed in person, but they are also harassed online. According to research issued by the Broadband Commission, about 75% of women online have experienced harassment and threats of violence. They are regarded to be their husbands' property. Their spouses torment them for the rest of their lives. Even after their spouses' deaths, women are

subjected to various ills, such as Sati, which was most prominent in India's early years. Widows are also seen as unclean and degrading. Gender justice appears to be a utopian concept in our environment. Mr. António Guterres, the UN Secretary-General, has remarked that achieving equality among gender and empowering females is the on-going business of our time and the world's most significant human rights concern. These reflect a clear demarcation between theory & practice, the reality of a world equating the females as alike appears to be far-fetched.

Despite significant advances, women's rights remain a primary concern worldwide, particularly in North Africa and the Middle East. Women face a systematic denial of rights, with legal discrimination putting them at a disadvantage to their male counterparts. As a result, women worldwide are unable to fully exercise their fundamental human rights. Learning more about this issue illustrates how vital gender equality is for long-term growth. These are only a few examples of gender disparity in today's world.

i. Inability to move

Despite several protests, women in Saudi Arabia are prohibited from driving and must rely on their dads or husbands to go about. Husbands have the right to prevent their wives from leaving Egypt and Bahrain, but other countries require formal permission from a husband to travel.

ii. Marriage Liberty

According to the United Nations, by the age of 18, 40% of young women in South Asia and Sub-Saharan Africa are married. Child marriage not only raises the risk of difficulties during childbirth, which can be deadly, but it also violates the fundamental human right to choose one's mate. In Pakistan, women are expected to accept arranged marriages, and refusing to do so can result in "honour murders," which the government usually ignores.

iii. Divorce Rights That Discriminate

Most nations in the Middle East are controlled by religious beliefs, and gender discrimination is widespread. Because males are often thought to be better, they may divorce their spouses quite readily, even if it is only via vocal renunciation. Women, on the other hand, suffer a more significant number of difficulties. Abusive women in Lebanon are not even allowed to seek divorce unless an eyewitness is ready to testify.

iv. Nationality

Women in the Middle East do not have the right to pass citizenship on to their children, except in Israel, Iran, Tunisia, and portions of Egypt. Men, on the other hand, have the power to pass citizenship on not only to their children but also to their non-national spouses.

v. Combat on the Front Line

Women are still not allowed to serve in frontline combat in Turkey and Slovakia, despite being allowed to join the army. Gender disparity remained in the United Kingdom as recently as 2016.

vi. Parental Custody Rights

In certain nations, courts automatically give fathers custody rights, leaving women without any means of financial assistance. In Bahrain, for example, family rules are not uniform, allowing courts to deny women custody of their children.

vii. Terrorism

Women are increasingly susceptible to violence due to unequal legal rights. Spousal rape is one of the most visible kinds of abuse against women in today's world. The recent Indian judgment that rape laws do not apply to married couples exemplifies the sexual oppression and violence to which women are still subjected.

viii. Obstacles in the Workplace

Women are still at a disadvantage in terms of earning power, even in industrialized countries. Males continue to dominate the highest-paying sectors, with women earning just 77 percent of what men earn for the same amount of work. At this rate, gender disparity may not be eliminated for another 45 years.

ix. Land Ownership Restrictions

Even though their Constitution asserts equal rights, customary or religious law effectively forbids females from owning land in several nations. Land ownership and governance tend to go to the male head of the household in several nations, such as North Sudan, Tanzania, and Lesotho. Women and males are both able to get a recorded land title in Zambia, although customary land tenure is also recognized, making it unlikely that a woman will be assigned property without her husband's consent.

x. Educational Opportunity

Women account for more than two-thirds of the world's illiterate adults, and access to education is particularly difficult in Afghanistan, where anti-feminist militias destroy numerous institutions. Female rights are also jeopardized owing to a lack of understanding of what they should be entitled to, which can only be addressed through more educational opportunities.

INTERNATIONAL LAWS TO ERADICATE GENDER INEQUALITY

1. Universal Declaration of Human Rights

The Universal Declaration of Human Rights (UDHR) is a watershed moment in human rights history. For the first time, it establishes universal protection for fundamental human rights. In the declaration's preamble, governments and their citizens pledge to take steps to protect the documented human rights.

2. Sustainable Development Goals (SDGs) 2030

Many initiatives have been done across the world to eradicate all types of violence against female gender, including sexual violence. Transforming our world: the 2030 Agenda for Sustainable Development

("Agenda 2030") was accepted by the United Nations General Assembly in 2015. It calls for eradicating gender discrimination and empowering women, as well as efforts to "eliminate all forms of violence against all women and girls in the public and private spheres" and "ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies, and practices."

3. Declaration on The Elimination of Violence Against Women, 1993

Article 3 of the 1993 Declaration states that women have the right to equal enjoyment and preservation of their basic as well as human rights in every field of the society. Some of the rights are:

- (a) The right to life.
- (b) The right to equality.
- (c) The right to personal liberty and security.
- (d) The entitlement to an equal level of legal protection.
- (e) The right to be free of discrimination of any kind.
- (f) The right to the best physical and mental health that one may achieve.
- (g) The right to reasonable and favourable working circumstances.
- (h) The right to be torture free.

In addition, states were required by this proclamation to take measures and policies to eliminate violence against women.

4. Convention on The Elimination of All Forms of Discrimination Against Women

The convention was passed by the United Nations General Assembly in 1979. It specifies what constitutes gender discrimination and establishes a national action plan to combat it. The Convention ensures that men and women have identical access to resources and equal opportunities in public and political domain, comprising the right to vote, education, health, and work. It makes states responsible for taking all necessary steps, including legislation and temporary exceptional measures, to ensure that women have access to all of their human rights and basic freedoms.

INDIA'S EFFORTS TO COMBAT GENDER INEQUALITY

Women have constantly been subjected to horrors throughout history, and India is no different. Women in India are revered as Durga, Shakti, Laxmi, and Saraswati on the one hand, yet viewed as sexual objects on the other. They have the position of Devi or goddess in theory, but in fact, she is treated as the property of men, with no rights. This is the country's brutal reality. Women are primarily reliant on their male counterparts in terms of opportunities and resources. Women's rights and opinions are not respected even though they work hard and support their families. They are subjected to gender prejudice. Even for the same amount of effort, they get paid less than men. They confront not just prejudice but also oppression and violence. Traditions are one of the factors that contribute to such circumstances.

Due to social constraints, women are denied opportunities. Women are constantly treated as second-class citizens in today's patriarchal culture, which stifles their development. Women's position, on the other hand, has improved in recent decades. Women are leaving their homes and joining other platforms. They are gaining access to their rights. Poverty and a lack of information are severe hurdles to women's freedom and empowerment in rural communities. How ironic that, after bestowing Saraswati status to women, we refuse to allow them to read.

The majority of Indian women are illiterate. Even though the country's Constitution states that women have equal rights to men, women are nevertheless powerless and abused both within and outside their homes. In India, there is a significant disparity between male and female literacy rates. According to the 2011 census, males and females had a literacy rate of 82.14 percent and 65.46 percent, respectively. Women are supposed to be dependent from the time they are a kid, first as a daughter, then as a wife, and finally as a mother.

In general, families do not invest in their daughters' education because they believe a girl's appearance is more significant than her education. She is relegated to household duties. In India, the number of people who have been raped has increased dramatically. Registered rape cases in India have surged by 900 percent in the last forty years, according to the National Crimes Record Bureau. In 2006-2007, crimes of cruelty and violence committed by the husband and his family against the wife (for dowry or otherwise) accounted for more than 3% of all crimes against women. The lawmakers adopted effective measures to stop the current crimes against women. The Indian Constitution's drafters made every effort to make the document women-friendly. Article 14 of the Indian Constitution states that no one should be denied equality before the law or equal protection under the law within India's borders. Article 15(1) forbids the State from discriminating against any person solely based on religion, race, caste, sex, place of birth, or any combination of these factors. The State is allowed to provide specific accommodations for women and children under Article 15(3). Article 16 guarantees equal opportunity in public employment regardless of religion, race, caste, sex, descent, place of birth, residency, or any combination of these factors. Article 39 lays forth some policy guidelines for the State to follow, with Article 39(a) stating that the State shall direct its policy toward ensuring that all citizens, men and women alike, have a sufficient means of subsistence. Article 39(e) of the Constitution ensures that employees' health and strength and children's delicate age are not exploited and that people are not forced to engage in occupations that are unsuitable for their age or strength due to economic necessity. According to Article 51(A)(e) of the Constitution, it is the responsibility of every citizen to oppose behaviours that are demeaning to women's dignity.

Apart from these, several other Acts and Provisions ensure women's equality and protection, including provisions in the IPC and CrPC, as well as Acts such as the Maternity Benefit Act of 1961, the Minimum Wages Act of 1948, the Pensions Act of 1987, and the Sexual Harassment Act of 2013. In India, the Dowry Prohibition Act of 1961 and the Protection of Women from Domestic Violence Act of 2005 were passed to prevent and address dowry and domestic violence in the country. The Indian judiciary has taken attempts to address the injustices that women face regularly. Some of the magnificent instances were the recent judgments on Triple Talaq and the Sabrimala Temple. However, these legal provisions have not been very

effective since women are either unaware of or unwilling to employ the State's measures for their upliftment due to the persistence of old societal obstacles. Women in India are being exploited in the guise of societal barriers, customs, and traditions, despite the country's 71-year independence.

TRANSGENDERS

Despite significant progress achieved by governments, one group of individuals, transgender people, continues to be denied human rights or even fundamental rights. Every human being has the right to equality, freedom from discrimination, life, liberty, and personal security; freedom from torture and humiliating treatment; to be recognised as a person before the law; equality before the law; and the right to marry and have a family, according to Articles 1, 2, 3, 5, 6, 7, and 16 of the Universal Declaration of Human Rights, but Transgender people have always denied these rights. Discrimination against transgender persons occurs in many sectors of life, including work, housing, and public facilities. Because of their gender identification, the community has long suffered prejudice and violence. They are beaten and, in some cases, executed. They are not provided with equal employment possibilities.

Even though they are people, they are not accorded this status. Because they are distinct from the mass of the people, they are regarded as malevolent and are not readily accepted in society. In the United States, violence against transgender people continues. In 2018, more than 20 transgender persons were slain. Between 2008 and 2016, about 2,500 trans persons were killed in dozens of nations, according to Transgender Europe. According to a poll of transgender persons, 47 percent have suffered discrimination in employment, promotion, or job retention, and 78 percent had been harassed or mistreated at work because of their gender identification. Transgender students endure harassment from their classmates in school as well. Because they are "different," transgender adolescents are three times more likely to be ostracised by their classmates.

In the landmark case of the National Legal Service Authority of India v. Union of India, the Honorable Supreme Court of India held that transgender people should be classified as the third gender and that they should have the same fundamental rights as males and females. The Transgender Persons (Protection of Rights) Act, 2019 was also passed to protect transgender people's rights.

UNCONSCIOUS GENDER BIAS

The human mind is constrained to perceive that woman are subordinate to men, and the behaviour is tuned naturally if you are groomed in that fashion. Men are believed for the field and women for the home. The question of evolving a zero-tolerance discriminatory policy may not prove outrightly to be effective since it is difficult to change the attitude overnight. This behaviour or transformation is usually inaccessible and therefore requires a systematic, multiple, and diversified approach supposed by a sincere cultural change to evolve a more neutral workplace culture. This positive change to perceive a society without gender prejudice focuses on evolving diversified self-awareness progress where rather than being judgemental, there is a need to create an internal self-motivation to transform their negative attitude and behaviour towards positive

thinking so that the behaviour of the people is reflected in the new transformed environment. This undoubtedly would bring about a positive change in viewing the issue of gender inequality and ensuring a better representation, participation, and more systematic approach toward the existing gender bias in the society.

Women's participation is usually restricted by the barrier she encounters in their professional and personal advancement. It is undoubtedly a challenge for women since workplaces are associated with unconscious gender biases emerging from the deep-rooted traditions and customary biases. The development of women as an independent workforce excelling in every field was traditionally designated as the exclusive domain of men. Her performance and evaluation predict her leadership skill, management criteria, and competency resulting in her growth and development even though she is restricted in her mobility due to her domestic obligations. These factors have failed to impose restrictions on her work performance, deliverance of projects assigned to her, achieving excellence in her decision, and ensuring accountability. Women as a class have attempted to rise above the stereotyped image created for them to prove their mirth.

SUGGESTIONS

The researcher has laid down few suggestions to restrict gender discrimination on all platforms and to ameliorate the sufferings of the fairer gender.

1. The process should focus on both sides, learning as well as training. Training should be diversified both for unconscious and conscious bias.
2. Sensitization and encouraging women to be representatives should be the goal so that there is significant progress towards attaining gender parity.
3. There is a need for a systematic, unified understanding of the demands of the weaker gender to address them with a moderate synchronized approach between her identification and recognition as an individual.
4. NGOs and social organisations should be encouraged to participate in gender informative programmes at the grassroot level to educate women and weaker segments of their rights guaranteed under the Constitution and various legislations, so that they can actively participate along with the learning process to strike a balance between the individual interest and protection of the community as a whole.

CONCLUSION

We are all born with the same rights and freedoms. The meanings of these lines are only found in writings. It has not been put into practice. Steps have been taken from time to time to guarantee that women and LGBTQ people are treated equally. Despite all of the efforts, women, transgender people, gays, lesbians, and members of the Gender-Queer community continue to be mistreated. They continue to experience prejudice and violence, which is on the rise. Despite several acts, agreements, and regulations, violence continues to be one of the most common kinds of human rights breaches. We have gone a long way, but there is still a long way to go. Gender equality is a fundamental right that helps a healthy society characterized by respectful interpersonal relationships. Like any other human being, women have every right

in the world to do whatever they choose, but society constantly stands in the way. We are all people, and we must recognize the importance of empowering, supporting, and loving one another. Without it, we will not be able to progress as a civilization. We must all strive for gender equality. Over the previous decade, more than one person has died each month due to transgender-based discrimination or hatred. In work culture, there is a gender difference between males and females. However, there are such aspects of human behaviour, particularly related to caste difference, colour, lingual, and geographical division, of which the person may be ignorant. Usually, there is an involuntary reaction from others at the workplace resulting in unpleasant experiences or past experiences. As a result, there are limiting beliefs and the fear of exposure to various environmental influences in the workplace. The goal to be achieved is not distant.