

REVISITING FEMINISM IN CONTEMPORARY INDIA: A CRITICAL REVIEW OF LEGAL REFORMS, GENDER JUSTICE, AND THE PURSUIT OF EQUALITY

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ABSTRACT

The development of feminism in India has experienced many waves of social, political, and legal changes depending on the multiple intersections of gender, caste, and class as well as religion in India. This is a critical review of the feminist thinking and activism in modern-day India with respect to how legal reforms have contributed to gender justice and gender equality. It discusses the ways feminist movements have contributed to legislative reforms, judicial interpretations as well as policy designs that seek to destroy patriarchal structures. The research assesses the drawbacks of current legislation, gender biases that remain intact in the law, and the issues of the enforcement of gender-neutral legislation, as well. Based on the interdisciplinary visions of law, sociology, and gender studies, this paper presents the current debate between old traditions and new changes. It presents the argument that, despite great progress of gender equality in India, the structural forces, cultural opposition, and institutional preferences are still posing as a barrier in the achievement of real justice. The review ends with a call to ensure the inclusion and intersectional and transformative feminism that follows the constitutional vision of equality and human dignity.

KEYWORDS: Feminism, Gender Justice, Legal Reforms, Intersectionality, Equality.

INTRODUCTION

Feminism in India is a place of varied and dynamic discussion, which cuts across the socio-political, cultural, and legal structures of the country. Indian feminism, based on the fight against patriarchy and systematic discrimination, has traditionally sought to confront gender hierarchies and promote female rights and equality, as well as justice. Feminist movement today in India is not a homogenous phenomenon but it can be characterised as a varied and manifold movement with differing regional, cultural and ideological differences. It covers an extremely broad spectrum of concerns including violence against women and employment inequities through to the right to reproductive development, political participation, and access to justice.

Even in this situation, the Indian Constitution has a solid base on which feminist advocacy can be founded in its affirming equality, liberty, and dignity. Articles 14, 15 and 21 entrench the principles of equality before law, prohibition of discrimination and security of life and personal liberty. The feminist movements have over the decades used these provisions in the constitution to champion amendments in the individual laws, employment rights and criminal justice. Nevertheless, in spite of the advanced legislation and judicial activism, gender inequality is still evident under the form of overt and subtle manifestations. The gap between the ideals of law and the realities of society remains as the obstacle between the feminist quest of substantive equality.

Feminism in India can be segregated into three different phases. The initial stage of it during the colonial era came in the form of social reform movements that were spearheaded by scholars like Raja Ram Mohan Roy, Ishwar Chandra Vidyasagar and Savitribai Phule who fought against such practises as sati, child marriage and female infanticide. The second stage, that is after independence, was concerned with involvement of the women in nation building and codification of the personal laws. Intersectional feminism is the third and modern stage that acknowledges how gender is related to caste, classes, sexuality and religion. The stage is all about inclusiveness and breaks with the hegemony of upper-caste, urban feminist discourse.

Reforming laws has been very critical in influencing the feminist movement in India. There are numerous landmark legislations like the Dowry Prohibition Act (1961), Equal Remuneration Act (1976), Protection of Women against Domestic Violence Act (2005), Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (2013) representing response by the state to the feminist demands. Gender justice has further been extended through the judicial interventions, both the decriminalisation of Section 377 (2018) and the Vishaka Guidelines (1997). However, the administration of these laws is irregular; it is usually obstructed by patriarchal views in enforcing laws, as well as in the courts.

The discussion of gender-neutral laws has become increasingly common in the recent years and indicates the turn towards being inclusive and acknowledging modern gender identities. Whether gender-neutral laws are empowering or undermining the feminist right has been the debate of feminist activists and scholars. Although these laws are thought to encourage equality, given they safeguard the genders, others have warned that they can be dangerous in masking structural injustices to women. This conflict highlights the difficulty of realising gender justice in a society marked with strong patriarchal rules.

This review is aimed at critically discussing how feminism, the reforms in laws, and gender justice are connected in modern India. It aims to respond to the following important questions: What role feminist movements have played in the reforms of the legal and policies? How successful have these reforms been that they have translated into practical social change? What are the issues of attaining substantive equality? By answering these questions, the study will make an addition to the wider discussion of feminism and law, providing the insights to the achievements, the drawbacks, and the future perspectives of the gender justice in India.

The paper is divided into five major sections. The literature review comes in the wake of this introduction, wherein the existing literature that has been focusing on the fabric of feminism in India and the legal reforms will be reviewed. The section of analysis will give an overview of the major legislative and judicial changes considered through a feminist perspective. These reforms have been assessed in the discussion section to determine how effective they have been in gender justice promotion and the gaps in their implementation. Lastly, the discussion concludes and gives a suggestion as to how to further feminise legal reform in India.

LITERATURE REVIEW

The literature on feminism and legal processes in India is huge and interdisciplinary, presenting legal, sociological, and political science, not to mention gender studies postulations. This section will conduct a literature review regarding significant scholarly publications that have shaped the understanding of the feminist theory, gender justice and evolution of jurisdiction in India. It also establishes the gaps in existing literature that establish why the timeframes of feminism must be critically reviewed in the consideration of the issue as relevant to the modern legal reforms.

The Feminist Idea of India

The feminist scholarship in India has been moving in various waves that could be classified as the outputs of the socio-political realities during the times. These early feminist sources in the works by Kumar (1993) and Forbes (1996) trace the emergence of an Indian feminist movement as far back as the 19th -century social reformists attempt to eliminate the oppressive practices such as sati, child marriage and purdah. Although these movements had their leaders who were mostly men reformers, it is through them that the ground was laid of emancipation of women as they spearheaded the introduction of the concept of rights of women being subjected to social justice.

The post-independence period witnessed institutionalization of the women rights by ensuring that women rights were guaranteed in the constitution and state programs. As suggested by other scholars such as Agnes (1999) and Menon (2004) this was viewed as a move to reform between social and legal reform since the concerned state of India which was already independent wanted to formalize the personal laws in the country which was to be facilitated through the enactment of new laws so as to grant gender equality in the country. However, the reforms had feminist projections which could be raised on the part of the state, especially the inability to intervene in the personal religious law, a factor that was causing inequality between genders.

The phenomena that render the contemporary level of feminism in India are intersectionality and inclusiveness as addressed by John (2014) and Rege (2013). Feminist discourse has come to the realization that depiction of gender oppression cannot be viewed in isolation without the presence of caste, class, religion and sexuality. Such intersectional effort challenges the upper-caste feminism, which is mostly urban and requires a more transitional movement that have to take into account the human voices of oppressions and marginalization, e.g., Dalit, Adivasi, queer and rural women.

Feminism and Legal Reforms

There has been a negative yet a positive relationship between feminism and law in India. Feminist legal theorists such as Flavia Agnes (2011) and Nivedita Menon (2012) have discussed how legal reforms have been influenced due to feminist activism and the restriction of the process by patriarchal ideas of justice. The law, as far as it is an enabling device has been derided to reinforce gender stereotypes and the inability to address structural inequalities.

The most popular legislations that have been cited as the milestones in the legislative sphere in feminist advocacy are: Dowry Prohibition Act (1961), Equal Remuneration Act (1976), and Protection of Women from Domestic Violence Act (2005). However, according to Basu (2016), the implementation of these laws has been disparate, and law enforcement agencies are equal to the situations with biases associated with patriarchy that these laws are meant to eradicate. Similarly with Chakravarti (2003) who also holds that despite legal reform having offered the rights of women on paper, it has not necessarily resulted in providing substantive equality due to the socio-cultural resistance and inertia of institutions.

Sexual violence and workplace harassment have been a major concern regarding the development of arguments around the criminal law, which has been significantly contributed through feminist critique of criminal law. The turning point of feminine legal activism was Mathura rape case (1972) and the consequent, Vishaka guidelines (1997). Scholars such as Kapur (2005) and Baxi (2014) have explored the nature of how these cases have brought out the unsensitivity of the law system towards gender and how the judicial system should shift towards a more rights-oriented orientation. The Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act (2013) is one of the direct implications of the long-term feminist activism.

Gender-Neutral Laws and Feminist Debates

The discussion on gender-neutral laws in India has been gaining relevance over the last several years and the said debate is the sign of the shift towards inclusiveness and sensitivity to other sexes. The female scholars are divided by this. On the one hand, it expressed that gender-neutral laws are required to make sure that neither the genders nor transgender individuals are discriminated against and violated (Narain, 2018; Ghosh, 2020). On the other hand, critics like Agnes (2019) caution that gender-neutral legislations will bring about the end of structural disadvantages on women and therefore the feminist struggle of equality will be stamped.

The argument is even more evident as the laws of sexual violence are addressed. The Criminal Law (Amendment) Act of 2013 Investigating the post-Nirbhaya case of sexual assault, nevertheless, included the gender-specific organization. An example of this is the law that was strengthened to protect women, as pointed out by feminist scholars such as Kapur (2014) though they did not factor in the concerns of the male and transgender victims. Contrarily, Menon (2015) also claims that gender-neutrality should not mean that the rights of women are compromised because they are the major target of sexual violence in patriarchal societies.

This contradiction points to a bigger controversy of the feminist legal theory, i.e., the necessity to pursue equality and, at the same time, to practice differentiation. Certain authors, particularly MacKinnon (1989) have convincingly argued that formal equality which is the treatment of all the different, is not being implemented into substantive equality which is the counteracting of historical and structural disadvantages. The Indian feminist activists have integrated this point by demanding contextually sensitive legal transformation which recognises some special vulnerability of different gender groupings.

Where was Judicial Interpretations and Feminist Jurisprudence?

The judiciary has greatly relied on Indian feminist jurisprudence. The land mark cases such as the case of Vishaka v. Lata Singh v. State of Rajasthan (1997). State of Uttar Pradesh (2006), and Navtej Singh Johar v. The Union of India (2018) has expanded the boundaries of gender justice and personal wellbeing. These resolutions may be discussed as a gradual evolution of the protectionist one, when women were regarded as vulnerable and required protection, to the kind of empowerment, when women are discussed as independent right-bearing people.

However, such feminist theorists as Baxi (2014) and Kapur (2018) caution against the uneven progress in the field of the judiciary. A few of the judgments have embraced feministic ideas although few are prejudiced because of patriarchy. One case can be seen through marital rape in which the courts have more often than not left it to the conservative interpretation of the personal laws to continue with the perpetuation of the inequality. The fact that not even feminist pressure has led to criminalization of marital rape puts emphasis on the problem of tension with the equality under the constitution and cultural relativism.

Feminist jurisprudence has gone a notch higher with the emergence of queer along with trans-feminist. The NALSA v. One of the biggest advances concerning the inclusive gender justice was the case of Union of India (2014) where the rights of transgender people have been recognised. Such a ruling, according to Narain (2018) and Puri (2020) is a paradigm shift intended to leave the binary gender models behind in favour of a more inclusive and identities fluid system. However, the right of transgender is not popular yet and the gap between legal and social acceptance is highlighted.

Intersectionality and Feminist Legal Theory

Intersectionality is one of the theories that were developed by Crenshaw (1989) and took centre stage in the contemporary feminist practice. The intersectional analysis was employed by Indian feminists such as Rege (2013) and Guru (2016) showing how caste, class, religion, sexuality interacts with gender to produce some forms of oppression. This perspective challenges the fact that there can be any universal experience of women and political laws should be altered to allow the management of axes of discrimination.

Indicatively, the Dalit feminist scholars have condemned mainstream feminism as evidenced by failure to bring up concerns on caste-based violence and marginalization. Cases of sexual violence on the Dalit women is another intersection of caste and gender because the legal structure is ineffective to deliver justice and the social system is ineffective to receive them. Similarly, Muslim feminists have also raised the need to change certain areas of personal law in which Muslim women are discriminated in matters of marriage, divorce and inheritance. This intersectional perspective indicates that there is a need to frame feminist legal reforms to India as a heterogeneous social canvas.

Gaps in Existing Literature

Despite the fact that the problem of feminism and legal reform has been extensively studied, there are still a few gaps. Firstly, the vast majority of the existing literature focuses on the issue of women rights solely omitting the aspects of the life of non-binary and transgender people. Second, the use of gender sensitive legislation and its impact on oppressed groups is not a well-funded study. Third, despite the criticisms on patriarchal biases in the legal profession by feminist scholars, there is the need of increased interdisciplinary studies, which are the integration of legal interpretation with sociological or psychological interpretation of gender justice.

Moreover, the battle between gender and gender-neutral laws, has also not dispensed and not much is known about how these regimes work. Finally, the issue of the involvement of digital technologies, social media activism and global feminist movements in the legal and gender talk transformation in India also needs to be brought up.

Analysis

This analysis part details the relationship that feminism and gender justice and legal reforms have in contemporary India. It explores the feminist movements on the legislative and judiciary process, studies the effectiveness of the gender-neutral and gender-sensitive legislations and evaluates the challenges that are yet to journey on the pathway to substantive equality. This analysis has taken thematic subsections that are the main spheres of feminist legal movement in India.

Women affect a fiscal agenda

The legal life of India has not been a small phenomenon with regards to the role of the feminist activism in the country. The codification of individual laws and the creation of guarantees of constitutional equality was with the post-independence era. However, the reclaiming of feministic movements of 1970s and 1980s was replaced by the alteration of the changes in the legislation of gender-based violence, workplace discrimination, and rights to reproduce.

This turns materialised with the Committee on the Status of Women in India (1974) that documented socio economic and legal inequalities against women. Through its report, *Towards Equality*, it was possible to notice the limitation of the prevailing laws and it required sweeping reforms. This witnessed the enactment of some of the predominant laws like Dowry prohibition act (1961), Equal remuneration act (1976) and criminal law (Amendment) act (1983) that criminalised custodial rape and maximised protection against sexual violence.

The feminist movement did not cease its impact in the 21st century, as law protection of women against domestic violence (Protection of Women from Domestic Violence Act 2005), and sexual harassment of women in the workplace (Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013) were enacted. This implied that these legislations were founded on the exodus of women as passive victims to the acknowledgment of women as active right-holders. The feminist organisations such as the All-India Democratic Women Association (AIDWA), and the Lawyers Collective played the central role in formulating and lobbying such legislations.

According to feminist scholars, and possibly, not only Agnes (2011) or Menon (2012), the state policy disposing of legal reform has often been a reactionary policy, and such policy was never the transformative one. Most of the laws are usually passed when individuals are indignant about particular incidents such as the one that took place in the Nirbhaya case in 2012 and not because of an extended effort to become gender just. The result of this responsive intervention is instead disjointed interventions which end up taking care of the symptoms but not the causes of the inequalities.

Feminist Jurisprudence and Judicial Activism

Indian judicial system has turned out to be one of the primary lines of feminist activity. The landmark decisions that the courts have made have brought about the introduction of gender equality and personal autonomy as the construal's of constitutional rights. The *Vishaka v. State of Rajasthan* (1997), has introduced the aspect of sexual harassment in the workplace being a form of infringement to the right of equality and dignity of a woman as stipulated in Articles 14, 15 and 21 of the Constitution. This case was the foundation of the Sexual Harassment act of 2013 and it was made by court guide of the Supreme Court.

Similarly, in *Lata Singh v. The Court* sided in favour of the right of a woman to marry someone she wants and this ruling had reversed the constitutional liberty to personal choice. The *Navtej Singh Johar v. The Union of India* (2018) had the same-sex relationships decriminalised by the ruling that considered such a consensual relationship to be a crime.

Even though these were liberal rulings, the feminist academics, such as Kapur (2018), caution about the infirmity of judicial activism. The paternalistic nature of the courts is often based on the fact that they frame women as a vulnerable group that requires protection rather than as a subject. It is a good protectionist policy, however, which reinforces the gender stereotypes and disappoints the feminist agenda of empowerment. Moreover, not every meaning of the judiciary can be ordinary and the progressive dealings are not all-encompassing because there are the retrogressive dealings, which support the patriarchal system particularly the rape of marriage or honour murders and personal laws.

The Gender-Neutral Legislation: Development or Deceit?

The new approach in the Indian legal discourse starts with the introduction of the gender-neutral laws. Based on the supporters of such legislation, these enable the principles of inclusivity to be observed since men, transgender and non-binary people can also fall victims of violence and discrimination. One such law is the Transgender Persons (Protection of Rights) Act (2019), which is targeted at the establishment of equality among the individuals and the prevention of any discrimination based on the gender identity. Similarly, when they are talking of the gender-neutralisation of laws of sexual assault, they are suggesting that more serious attention is paid to different genders.

However, it is the paradox of gender-neutrality and a male dominated society that presents the issue of the feminist criticism. On the one hand, Agnes (2019) and Menon (2015) state that gender-neutral rules will confuse constraints of the framework of discrimination of women. Under a case of systematic disadvantage against women, such as domestic violence, harassment at work place, and sexual assault, the concept of neutrality can be applied to the advantage of the dominant group. A good example of how gender neutralisation of domestic violence laws can actually backfire against women is to put the work of assailants in the wrong side of the equation.

It is, therefore, the question of the possibility to strike the right balance between inclusivity and equity. The context-based approach suggests that both the need to include gender and gendered power disruptions should be taken into account by the feminist legal theorists. This is in accordance with the ethos of substantive equality that tries to establish equity by

righting the wrongs of the past and structure in order to bring equity to the law but does not do so by merely providing formal equity.

Law Reform Intersectionality

Intersectionality has also been at the frontal stage of the contemporary study of feminism where gender oppression is viewed to be sexting with other levels of marginalisation such as caste, class, religion, and sexuality. Intersectional approaches have not been incorporated into the Indian legal reforms very slowly. These laws as much as they are present to promote gender discrimination are largely incapable of taking into account the fact that the vulnerability is multiplied by many identities.

The fact that caste remains invisible in the mainstream feminist and legal discourse has been distinguished by the authors of Dalit feminist theory such as Rege (2013) and Guru (2016). The fact that the Dalit women are often sexually abused i.e. the Bhanwari Devi case (1992) and the case of Hathras (2020) are examples of how caste hierarchies are overlaid on gender to facilitate impunity. This law Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (1989) provides legal support to the Dalit women, but they have remained elusive since there is a systematic prejudice in the enforcement system of law and the judicial system too.

Similarly Muslim feminists have criticised the state on the selective approach to reforming personal laws. The example illustrating this dilemma between gender justice and religious independence can be in the case of Shah Bano (1985) and the resulting amendment, the Muslim Women (Protection of Rights on Divorce) Act (1986). The Shah Bano ruling by the Supreme Court advocated the rights of the woman to maintenance, but as a result of the political pressure, they were mitigated by the state that wanted to keep off any kind of defiance to the patriarchal interpretation of the religious law.

This interconnection between gender and sexuality has taken its position in the law as well. The NALSA v. The transgender persons were also recognised in the Union of India (2014) judgement on which it was stated that transgender persons had the right to consider themselves as subject to their gender. However, this ruling has had mixed application and people have currently argued that the 2019 Transgender Persons Act was too restrictive in definition and too narrow in protection extended to the transgender. According to debates on feminist and queer scholars, people must be not only legalised but also transformed to be really included.

Problems in implementation and institutional Bias:

Even though India is a country that has enacted a few laws that are gender-sensitive, they have not been effectively enforced. Such laws, according to the study by Basu (2016) and Chakravarti (2003), have no functionality as law enforcement, judiciary, and the society in general are patriarchal. Citizens are known to discourage women against making a complaint and the judges take a moralistic line and the victims are stigmatised due to seeking justice.

An example of these holistic solutions is the protection of the Women against Domestic Violence Act (2005) that includes protection order, right and monetary compensation at home. However, poor infrastructure, ignorance and bureaucracies have made it not to be implemented. Similarly, Sexual Harassment of Women at Workplace Act (2013) stipulates establishment of Internal Complaints Committees (ICCs) contrary to which most of the organisations do not establish them or do not have the ability to train qualified individuals to offer effective services on complaints.

Institutional bias is also caused by socio-economic stratifications. The communities of women are members of the fringe groups and the majority are not able to seek legal support and other barriers such as illiteracy, poverty, and even social disfavour. The feminist legal aid organisations have gone to fill in this gap, but there is a need to revamp the system and ensure that legal rights become an actual empowerment.

offers the example of how digital feminism is representative of media and digital technologies and how these technologies and media define women in terms of their roles and roles in feminism.

The emergence of the digital media has seen a change in the feminist activism in India. Such movements as Hash tag movements such as the Indians MeToo movement, Pinjra Tod, Bekhauf Azaadi, et cetera have provided the women with the opportunity to be heard and resulted in sexism at the workplace even in universities and even when it comes to the governmental institutions management. These movements did not only serve to undercut patriarchal norms, but they also have compelled institutions to have even stricter anti-harassment and anti-discrimination policies.

The Feminism movement has been democratised by digital feminism since it has allowed the poor to participate in the discussion. However, it has also received its share of backlash in the way of online harassment and trolling and defamation. Digital platforms, as it is argued by feminist scholars such as Banerjee (2020), open new platforms of resistance, but reproduce the already existing hierarchies of privilege and access. The issue is the possibility to ensure the digital activism would lead to the veritable legal and social change.

The Comparison and International Impact

Indian feminism has been shaped by the global feminist movements without changing their cultural and political identities. The legal obligation of India has been affected by the international call of the rights of women particularly the conventions such as Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Implementation of CEDAW in the Indian legislations in 1993 made the state bound to align the Indian legislations with the international gender equality requirements.

Comparative studies such as the one conducted by Choudhry (2017) have discovered that the Indian way of approaching gender justice has a great similarity with postcolonial societies that were unable to overcome the dilemma of tradition and modernity. Although unlike the Western feminist movements that emphasise the fact of personal freedom, Indian feminism generally emphasises equality with the opposite gender within the social justice and all-community well-being.

The problem of situation-based approach underlines the need to have culturally sensitive legal policy changes that resonate on the Indian social realities.

What do the results of analytical findings show with perpetual futures contracts? Findings summary to determine the relationship between perpetual futures contracts and the independent variables, it is recommended to be able to analyse the data through the use of multivariate analysis, as there is a number of variables that should be considered to explain the problem (Molloy et al., 2014).

According to the survey, even though Western feminists have created more impact on changing the laws in India, the process of establishing gender justice remains on its way. Legal and judicial procedures have increased women rights, but structural inequalities have not disappeared due to the rules of male patriarchy, institutional discrimination and inequality in socio-economic conditions and other aspects. The debate on gender-neutral law is reflective of the evolving perception of the feminism movement, inclusiveness and the fact that the feminists need to fight inequalities of the past. Intersectional voice is about highlighting the necessity to keep in mind a range of oppressions and digital activism shows that the new media may become effective to serve feminist cause.

Last but not least, the success of legal reforms cannot be achieved as such but through the success of its implementation and occurrence which is accepted by the society. The substantive equality has to be achieved through a multi-focal approach in which legal, social and cultural actions are included in the approach that would dismantle the system of patriarchy and improve inclusive justice.

DISCUSSION

A discussion section helps to summarize the results of the analysis and put them into the context of the general theoretical and practical explanations of feminism, law, and social justice. It examines the consequences of feminist legal change in India, how well and how poorly they have worked, and suggests avenues to substantive gender equality. The current changes to the feminist idea in the Indian setting are also brought to light in the narration and the necessity of intersectional, inclusive, and transformational legal reform.

Feminism and the Law Once Again

Feminism and law in India correlate in a complex dynamic way. The law can be discussed as both a source of empowerment and a source of patriarchal control by the movements of feminism in historical periods. On the one hand, legal reforms have given the means that women have to demand discrimination and violence; on the other hand, the legal system usually reproduces gender orders, using any prejudices in its interpretations and procedural obstacles. This two-sidedness underlines the necessity of a critical feminist assessment of law, that is, of the law requiring new laws, but also of the structures of legal thought and law on which those laws rest.

According to feminist theories of law like Agnes (2011) and Menon (2012) the law has a possibility of transforming by being able to re-define the social norms. Feminist values integrated in the laws may transform gender interaction, equality and justice attitudes in the society. But the patriarchal systems which generally oppose change tend to subvert this potential of change. With the gender bias that continues to exist in judicial rulings, police activities, and bureaucratic actions, it is only through reorganization of the law system that persistent inequality ingrained within the law system could be abolished without societal awareness as well.

The Paradox of Gender-Neutrality

The controversy about gender-neutral legislation is one of the most prominent modernization challenges of the feminist legal speech. Those who support gender-neutrality feel that every person must be safeguarded by the law regardless of their gender, therefore inclusivity and equality must be encouraged. This point of view corresponds to the constitutional principle of the equality before the law (Article 14) and the rise in the awareness of different gender identities. Nevertheless, critics argue that the concept of gender-neutrality, when designed to favour patriarchy, will obliterate the real obstacles women and other oppressed genders have to cope with.

In some cases, such as the Protection of Women against Domestic Violence Act (2005), there is no doubt about being gender oriented, but in as far as empirical data is concerned, it still turns out that even in instances of domestic abuse, the absolute majority of victims are women. Gender-nourishing such laws would potentially undermine their efficacy because structural power dynamics are the root cause of domestic violence. On the same note, gender-neutral rape legislation generates contests between inclusivity and protection. Male and transgender victims should be recognized; nevertheless, the law also needs to take into account that the source of sexual drug is gendered power relations in which the female gender is disproportionately involved.

An intermediate strategy would entail contextual gender-neutrality: that is, legislation that is written in an inclusive language, but concerned about structural inequality in its implementation. Such a measure would guarantee that protections are upheld to every victim without derailing the feminist objective of tackling the problems of systemic patriarchy. It is also compatible with the principle of substantive equality that aims to attain fairness that takes historical impediments into consideration instead of focusing on everyone as equal.

Intersectionality and the Universal Feminist Limitations

Intersectionality has been adopted as an important concept to explain how universal feminism is limited in India. The lives of Dalit, Adivasi, Muslim, queer, and rural women vary greatly with those of upper-caste, urban women who have always dominated the feminist discourse. The issue with legal reforms not factoring these differences in is that they may put even greater hierarchies in place.

Feminist scholars of the Dalit community like Rege (2013) and Guru (2016) have revealed the convergence of caste and gender to create distinctive modes of oppression. Its ineffectiveness in the legal system in bringing justice to the cases of sexual violence on the basis of caste is a sign of institutional bias. On the same note, Muslim feminists have also pointed out the conflict between gender justice and religious freedom especially on the personal legislation. The case of Shah Bano (1985) and the consequent legislative blowback share similar characteristics of how politics commonly dominates the rights of women in the pretext of cultural preservation.

The feminist legal theory is also broadened through queer and trans-feminist approaches. The NALSA v. independent House of Parliament (2014) decision case treatment indicates that bad faith may be acquired through criminal behaviour like embezzling funds. <|human|>The fact that bad faith can be obtained via criminal actions such as the embezzlement of funds has been indicated in both Union of India (2014) and the Navtej Singh Johar v. independent House of Parliament (2014) judgements and decision case treatment. The decision of Union of India (2018) is a big step forward in the appreciation of gender and sexual diversity. Nevertheless, application of such judgments is still minimal, and societal acceptance of non-binary identity is still underpinned by the law. Intersectional feminism therefore demands a more universal kind of approach which is able to tackle several of these axes of discrimination at the same time.

An Implementation and Institutional Reform

One of the most long-standing issues that cannot be solved easily to bring gender justice is the gap between legal ideals and social realities. Based on the progressive established legislations, implementation has indeed been hampered through bureaucratic inefficiency, lack of awareness and patriarchal attitudes in the various institutions. There is also a tendency of police officers to stop victims from presenting their complaints, judicial processes are based on moralistic justice, and victims are socially stigmatized when they seek justice. Those are the systemic impediments to the transformative value of feminist legal reforms.

It can also be said that institutional reform is necessary so as to make sure that gender sensitive laws become a concrete reality. This involves educating law enforcers and judicial officers to be gender sensitive, enhancing the legal help facilities and weakening the mechanisms of accountability in the case of non-compliance. The intervention of the National Legal Services Authority (NALSA) and other legal aid agencies is more than essential in mitigating the distance between law and access to them, especially to the marginalized communities.

In addition, feminist interest in law should not only be confined to formal institutions, but also to community-based interest. The grassroots, feminine groups, and local government institutions are crucial in creating awareness, helping those who have been victimized, and breaking the patriarchal society at the local level. These actors could be empowered and improve the effectiveness of legal reforms and gender equality culture.

The Education and Media in Consciousness of Feminists

Media and education are an effective mechanism of influencing the population to have an attitude that is formed towards gender equality. The recommendation offered by the feminist scholars is that the legal reforms need to be supported with education programs that ensure gender awareness and critical thinking. Gender studies should be included in the curriculum of schools and universities so as to raise awareness as a right and responsibility at a very young age. In the same direction, media representation stands out to be important in breaking the stereotypes and making feminist values more normalized.

Feminist activism has also been increased even more by the emergence of digital feminism. Such movements as Pinjra Tod and MeToo India have brought a certain level of sexism into the limelight of society and established support of the gender justice. Nevertheless, Internet spaces replicate existing privileged and access hierarchies as well. Another important obstacle to women involvement in online activism is online harassment and trolling. These issues need to be solved by having better cyber laws, digital literacy, and institutional solutions to victims of cyber bullying.

The Globalization and Transnational Feminism

The globalization has contributed to the spread of feminist ideas beyond the borders, which have impacted legal and policy changes in India. Convention on the Elimination of All Forms of Discrimination Against Women, or CEDAW is one of the international conventions that have offered normative frameworks in the promotion of gender equality. In 1993, India ratified CEDAW, an act that indicated its intention to harmonize local legislations with the global ones. The practice of these commitments has however been uneven.

Transnational feminist networks have contributed to developing Indian feminism as well through solidarity, sharing of knowledge. However, global feminism should not run the risk of enforcing Western systematization that does not recognize the local situations as pointed out by Mohanty (2003). The strength of Indian feminism is that it can make global principles appropriate to locals, reconciled between the universal human rights and the local context. This local practice will provide feminist legal reforms with a feeling that it can be applicable to the varied social structure of India.

In the New Direction toward Feminist Transformation

Feminism in India can only go forth by outgrowing the reformist aspect of feminism into the transformative factor- a concept that tries to reorganize the social, economic, and political frameworks to bring about true equality. Transformative feminism acknowledges that legal changes though important need complementation. To attain gender justice, there is the need that the real causes of inequality such as economic dependency, cultural practices and institutional bias must be dealt with.

The other characteristic shared by transformative feminism and collective empowerment is the focus on the collective, as opposed to the individual progress. It encourages unity based on gender, caste, class and religious backgrounds and alliances which act to protest against all types of repression. This practice is in tune with the constitutional ideal of justice, liberty, equality and fraternity, and defines once again feminism as one of the drivers of social change.

Summary of Discussion

The discussion shows that feminism in modern India is in a cross road. Although legal and policy changes have been made in leaps and bounds, patriarchal structures are still there to restrain their effectiveness. What is difficult to achieve is to ensure that the gap between formal and substantive justice is overcome with the application of intersectional, inclusive and transformative approaches. To support legal reforms, an institutional accountability, education, and culture change is required that makes gender justice a reality and not a promise contained in the constitution.

CONCLUSION/RECOMMENDATIONS

The Indian feminist movement of the modern years can be regarded as a complex mixture of the social campaigns, legal reform activities, and cultural revolution. The feminist activism has produced a great impact on the feminist laws and other judiciary interpretations over decades as there has been an overall expansion of the rights and protection granted to both women and the marginalised gender. However, despite these achievements, none of the campaigns to gender justice is a-priori except to the extent that it has institutions, biases, and opposition to the socio-cultural dimension.

As the study and literature review presented in this paper indicates, despite gradual changes in Indian legal system to accommodate feminist ideas, they have not received a commensurate translation in practise. The high points of the feminist legal force activity are Protection of Women from domestic Violence Act (2005), Sexual Harassment of Women at Workplace act 2013 and Criminal law (amendment) act 2013. Their practise is still suppressed, however, by the patriarchal methods, the inability of the institutions, and the lack of information in the heads of the citizens and the government.

The question of gender-neutral laws describes the shift in feminism in India. Even though inclusiveness and recognition of various gender variations are required legal impartiality must not conceal the prevailing drawbacks within the setup of women. Substantive equality can only be achieved in a delicate process and it would be an inclusive and historically and socially conscious process. The feminist legal theory hence requires not only inclusive, but transformative reforms i.e. not only the symptoms, but the structural causes of inequality.

The intersectionality becomes an imperative paradigm of analysing the complexity of the gender oppression in India. Our attention is attracted to the negativities of the one-dimensional feminist conception by the lives of Dalit, Adivasi, Muslim, queer, and rural women. The law reforms must so be framed on an intersectional approach which recognises caste and class, religion and sexuality so that they can interact with the gender to produce disparate forms of marginalisation. Without this kind of strategy, there can be no complete equality.

The judicial system has been high but skewed in the promotion of the feminist jurisprudence. There are instances of progressive pronouncements such as that of Vishaka v. State of Rajasthan (1997), NALSA v. Navtej Singh Johar v. Union of India (2014). Union of India (2018) has provided greater areas of gender justice. However, the reality that even in such marital rape cases, cases of honour killings or personal laws, patriarchal logic remains, indicates that the issue should be changed in more fundamental terms. Judicial training gender sensitivity and introduction of feminist principles into law schools can be viewed as steps that should be made to achieve more proportionalism in the justice system.

Because of the rise of digital feminism and social media activism, there has been more avenues and ways through which feminists can engage in feminist activism with a new system of democratising the production of stature in the popular arena and provide the marginalised voices a medium into which they can be heard. Such movements as the Me-Too India one, have shown the implicit sexism to be present and compelled the institutions to be more responsible. However, digital space reproduces the already existing contexts of privilege and accessibility and needs stronger cyber laws and digital literacy programmes to protect feminist activists against online hate.

The path towards gender justice in India, however, must be multi-dimensional in that sense that it will not only need legal, social, educational and cultural intervention. The reform and actions can be related to the key areas and these can be listed as follows:

Recommendations

Empower Implementation Systems:

Introduction of form special watchdog organisations to help bring to bear the enforcement of gender sensitive legislation. To enhance transparency and accountability, regular audits, data collection and reporting to the people may be conducted.

Sensitising the institutions in relation to gender:

Enforce mandatory sex-sensitivity training on police officers, judges and officials of the government. Empathy, equality and getting rid of unconscious bias should be the point of the programmes that are developed this way.

Intersectional Legal Structures:

Reformulate the existing laws and impart intersectional disposition to include representing need and necessities of the disadvantaged groups like the Dalit, Adivasi, Muslim and queer communities as well as the transsexuals.

Un-Gendered but Conditionally Specific Law:

Inclusive draught laws sensitive in use but inclusive in language such that they do not compromise on the rights of women, but present equal rights to all sexes.

The Reform of Judicial and Legal Education:

Introduce feminist jurisprudence and gender studies in the law school educational curriculum and in courses covering judicial training to make gender justice appear more visible.

Legal Community-Based Awareness:

Grant more coverage on organisations such as NALSA, so that the legal literacy is taught on the grassroots particularly to the rural and disadvantaged groups.

Digital Feminism: Support

Impose cyber laws, which criminalise online stalking and safer online spaces of feminism. Further popularise gender problems.

Economic Programmes Empowerment:

Nurture the economic autonomy of women by equipping talents and prospects of entrepreneurship and being accorded equal chances in obtaining credit and employment opportunities.

Reform of Personal Laws:

Weighed the personal legislation against the constitutional provisions of equality and non-discrimination to the extent that does not give more weight to religious freedom in order that reduces the liberty of women.

Constant Review of Policies:

Establish interdisciplinary research committees that would follow up on the impact of gender specific laws and policies such that the reforms are not swept away by the transforming realities in the society.

CONCLUSION

The future of feminism in modern India is at a cross roads between being on the verge of great milestones and an uphill struggle. Legal system has faced a turn into a form of empowerment yet its empowering nature is still limited owing to the social hierarchies ingrained in them. Intersectionality, inclusivity and transformative justice as the new shoving powers represent the future of feminist legal reform.

The attainment of true gender justice cannot be done by legislation only but involves a communal rethinking of the values in the society, the practise of institutions and cultural storeys. The feminist movement need not stop fighting discriminatory legislation, but also the ideologies, which perpetuate the legislation. Feminism can overcome the reformist intentions, and it can lose the gender, caste, and class boundaries, as well as the religious boundaries and persist with the goal of justice, which will be genuinely egalitarian and inclusive.

Returning to feminism as practised today in India, this work reaffirms the claim that attainment of egalitarianism is not an endpoint but a process, however it involves keen observations, empathies, and daring. Anticipatedly, the law, when imbued with feminist ideals and rooted in social reality, can play a potent role in creating such transformation to bring India nearer to the future where gender justice will not just be a promise on paper; but will be a part of the social reality.

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