



# A sociolegal study on Gender inequality in Elementary education

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**Abstract:** *As per the scope of the paper on “The Socio-Legal Study of the Gender Inequality in Elementary Education in Gujarat” is a critical subject where the status differs from state to state, but overall position is not in a good shape. Being a wide and a critical topic the research related to the topic will be limited to the Gujarat only. Different International Conventions, Treaties and other relevant reports is taken into consideration but the focus is on Gujarat and how the Government of Gujarat deals with problem. Women in today’s world are not having proper means for education. From ages the conception was that the women are bound to work between four walls of a house. Apart from these historical backlog, the mind set of people was not matured and thus even today women are facing many difficulties for even completing her higher education. Thus the researcher in the paper has tried to focus on the problem; whether the gender inequality still prevails in India specifically in Gujarat, where so many measures and international conventions are taken into consideration. Looking to Gujarat, there is a notable exception in Gujarat where little progress has been made in reducing gender disparity despite the state’s impressive economic growth. Analysis of data collected by the Annual Status of Education Report (ASER Centre) over the last five years indicates that the issues of gender disparity and female retention in basic education have not improved. In light of the recent passage of the Right to Education Act, it is imperative to better understand why and how, despite progress in many states, some continue to lag in terms of providing basic education and, more specifically, in reducing the gender gap in enrolment levels.*

**Keywords:** *Socio-Legal, Gender, Education, Government, ASER.*

## I. INTRODUCTION

Before going to the basic introduction of the Gender inequality and the policies and measures taken up by the Gujarat State Government, the researcher would like to discuss two definitions:

### 1. Gender Inequality:

Gender is a term which is used in political, social or any other connotation except for biological connotation. Gender inequality in simple terms mean where there discrimination between a girl and a boy. The discrimination also continues till men and women and on the basis of their gender some privileges are granted to one gender and same is not granted to other.

### 2. Elementary School:

Oxford dictionary defines it as a primary school for the first six or eight grades.<sup>1</sup> So wherein the present topic relates is the gender inequality in those standards of schooling.

The constitution of India, guarantees equality to all its citizens irrespective of caste, sex, community, language and religion. The 73rd and 74th Constitutional amendments of 1992, which reserves one-third seats in Panchayat Raj institutions for women and the weaker section of society, are major landmarks in the political and social empowerment of Indian women. This provision makes a mandatory rule that there should be a women reservation in all the sectors. The percentage for women reservation may increase from field to field but at least some reservation has to be made available and the minimum percentage now is 33%, which in a simple terms means that in every field 33% of total seats are reserved for women.

From many years India has adopted many laws, policies, conventions and treaties to have a better standing to protect and promote gender equality. India has also ratified various international conventions on women’s issues such as the Convention on Elimination of all forms of Discrimination Against Women and the Declaration of the Fourth World Conference on Women in Beijing. The implementation of those 12 points of Beijing Conference is still in progress wherein no report has been filed by India after the year of 2005. To give a further stress on the empowerment of Women in all sector’s 2001 was declared as Women’s Empowerment Year. After all these efforts made, no positive sign can be seen in abolishing the gender inequality in various sectors.

<sup>1</sup><http://www.oxforddictionaries.com/definition/english/elementary-school>



Education for All (EFA), 2000 was established in July 1998 wherein 180 countries were party to it and India was one of them after that a report has to be made. EFA was been created for the in-depth assessment of basic education undertaken by different signatory countries and a report of the progress made by the countries was supposed to be submitted. Many conferences will be held and the outcome of these conferences will feed into the World Education Forum, Dakar.<sup>2</sup> The report submitted by the Indian Government shows high dropout rates, low transition from primary to upper and to high school.

The gender Development index (GDI) of the Human Development Report-2002 ranks India 124th among the 173 nations listed. India ranks similarly on other indicators such as Gender Empowerment Measures (GEM), Gender Inequality in Education, Gender Inequality in Economic Activity and Women's Political Perceptions. The National Human Development Report-2001 indicates that the Human Development Indicators for women are only two-third of those for men<sup>3</sup>

For the betterment of women the Gujarat State, the Women and Child Development Projects & Initiatives Department with the Integrated Child Development Service and Integrated Women's Development Service functions for the Empowerment, uplift net and welfare of Women and children under its various schemes. Initiated by Government of India, the schemes were launched in 1975 and expanded to over 5000+ projects spread over 35 states benefiting 35 million children (0 to 6 years) and about 6.6 million pregnant and lactating mothers through a network of 6 lac Anganwadi centres.<sup>4</sup>

## II. GUJARAT AND GENDER INEQUALITY IN PRIMARY EDUCATION

The constitution of India resolves to constitute India into a Sovereign Socialist Secular Democratic Republic and secure to all citizens its Fundamental Rights. The Principle of Gender equality grants equality to women and empowers the State to adopt measures of positive discrimination in favor of women.<sup>5</sup>

Gender gap i.e. the gap between the percentage of male enrolment and Female enrolment in the primary and Higher Secondary education system is decreasing decades by decades in Gujarat. But there are some States in India which has shown increase in this gap due to certain pre-nation beliefs.

Looking to Gujarat, there is a notable exception is Gujarat where little progress has been made in reducing gender disparity despite the state's impressive economic growth. Analysis of data collected by the ASER Centre over the last five years indicates that the issues of gender disparity and female retention in basic education have not improved. In light of the recent passage of the Right to Education Act, it is imperative to better understand why and how, despite progress in many states, some continue to lag in terms of providing basic education and, more specifically, in reducing the gender gap in enrolment levels.<sup>6</sup>

It is clear from the above fact that sometimes it is possible to have a Female enrolment ration in the schooling area high as well as to decrease the gender gap between male and female. Through the medium of media, radio, television people of rural area are becoming more aware of the education. Moreover, the Government on the other side is making its efforts to have more initiatives by people itself in this area. But these steps will take a more time period rather than any initiatives taken in any other area. To change the mindset of the people is very difficult. Women are considered neglected section in the society. Any enactment or any special provisions taken up by the Government for theses section of the society will definitely have some or the other impact but slowly.

Indian society suffers from substantial inequalities in education, employment, and income based on caste and ethnicity. Compensatory or positive discrimination policies reserve 15% of the seats in institutions of higher education and state and central government jobs for people of the lowest caste, the Scheduled Caste, 7.5% of the seats are reserved for the Scheduled Tribe. This positive discrimination has also generated popular backlash and on-the-ground sabotage of the programs.<sup>7</sup> There are certain discriminations prevalent amongst Muslims and other minority groups in the society. While amongst the Dalits and Adivas groups the ration of education is far better. The results shows that the there is increased number of gender equality amongst the college education. People are becoming more aware about the education and gender inequalities problems. This scenario is present all over India but the situation is quite different in Gujarat.

<sup>2</sup><http://www.unesco.org/education/wef/countryreports/home.html> & <http://www.unesco.org/education/wef/countryreports/india/contents.html>

<sup>3</sup> Gujarat State Gender Equality Policy Draft, available on <http://www.gujhealth.gov.in/images/pdf/gep-draft-2004.pdf>

<sup>4</sup> Major Initiatives (Women & Child Development Projects & Initiatives, available on <http://www.gujaratindia.com/initiatives/initiatives.htm>

<sup>5</sup> The Constitution of India

<sup>6</sup> "The Female Retention problem in Gujarat", by ICRIER, available on <http://www.icrier.org/page.asp?MenuID=24&SubCatId=177&SubSubCatId=782>

<sup>7</sup> "Changing Educational Inequalities in India in the Context of Affirmative Action", by Desai Sonalde & Kulkarni Veena, available on <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2474466/>



The reports show that 37% of the total investment in Gujarat in the last two and a half decades has been in infrastructure development. <sup>8</sup> This shows that the Government of Gujarat is making some efforts to increase the primary education amongst all the caste of people as well as amongst all types of people i.e. the handicapped, the deaf, dumb people.

While doing a research in different areas of the Ahmedabad which the most developed State in Gujarat, the results were found not so satisfactory. While taking some of the interviews I came to know that girls were not sent to the schools keeping the fact in mind that whatever she studies she will have to work anyways whether she takes the teaching or not. Than it is better not to go to school and instead work in different house. The mind set of man and women were the same. They said we also did not study why should our children specially girls children should work? The boys were also taking leaves without any reason and thus, these show the growth of the primary education in Gujarat specially Ahmedabad. The research doctrinal research was done in the year of 2013.<sup>9</sup>

### III. GENDER EQUALITY INDEX INDICATES A HIGHER DEGREE OF GENDER DISCRIMINATION

The Gender Equality Index (GEI) is a new index for measurement of gender disparity. This index is a composite measure which captures the loss of achievement, within a country, due to gender inequality, and uses three dimensions to do so: reproductive health, empowerment, and labor market participation.

In terms of gender equality index, India with an index value of 0.748 ranks 122 out of a total of 168 countries in 2008. The GEI capture the loss in achievement due to gender disparities in the areas of reproductive health, empowerment and labour force participation with values ranging from 0 which is a perfect equality to 1 which is a total inequality. The GEI index value of 0.748 indicates a higher degree of gender discrimination in India compared to countries like China 0.405 and Sri Lanka 0.599 Economic Survey 2010-11. Gender parity index (GPI) is another index for measurement of gender disparity in education. GPI is the ratio of girls' enrollment to boys' enrollment in education. Value of one signifies equal access of education for boys and girls. Over the years the gender disparity in education has been decreasing, yet substantial gap still exists. <sup>10</sup> Thus, it is clear that the ratio in Gujarat of GEI is near to 1 i.e. 0.748 and which at the global level is at an alarming stage. It indicates that there is total inequality amongst boys and Girls in the society.

According to some records the ration of Gender Gap for the year 15 to 18 in Gujarat for the year 2009 reached at the level of 9.8 while the rate was lesser in the age group from 11 to 14 which was at 4.4 and between age group 7 to 10 the ratio was 0.2.<sup>11</sup>

Another report states that only two-third of girls and three-fourth of boys age 6-17 years are attending school. The sex ratio of children attending school is 889 girls per 1,000 boys. There is gender equality in school attendance in urban areas, but in rural areas the female disadvantages in education is marked and increase with age. The same report shows that the girls and boys ratio is less than 800 girls per 1,000 boys.<sup>12</sup>

### IV. MEASURES TAKEN BY THE GUJARAT GOVERNMENT

Gujarat Government transforms lives and follows the Gandhian Principles. Gandhiji said, "If one boy is educated, a child becomes literate but if a girl is educated, the whole family gets literacy". The Government believes in reforming lives and brings revolutionary change in the mindsets of people for edu-socio-economical growth.

The guiding philosophy of Gujarat's Gender Equity Policy (GEP) is that, women and men have equal rights and opportunities to contribute to the well- being of a society. The State of Gujarat envisions a welfare society that does not discriminate on the basis of caste, creed or gender, a society where citizens' needs are met and human rights protected. <sup>13</sup>

Sarva Shiksha Abhiyan (SSA), the Government of India's flagship programme for achieving the universalisation of elementary education, has a "special focus" on female education. SSA is a partnership between the central, state, and local governments and implementation strategies are largely determined at the state level. The causal relationship between SSA and associated programmes and the reduction in the gender gap has not been adequately analyzed, but the association is compelling. Gujarat is an

<sup>8</sup> <http://kafila.org/2013/05/23/gujarat-and-the-illusion-of-development-shipra-nigam/>

<sup>9</sup> Record found during performing an empirical Research in different areas of Ahmedabad

<sup>10</sup> "Gender Equality: A Core Concept of Socio-Economic Development in India" (Vol 1 No.4), by Dr. Das Dinesh & Pathak Minakshee, published in November, 2012, available on [http://www.ajssh.leena-luna.co.jp/AJSSHPDFs/Vol.1\(4\)/AJSSH2012\(1.4-32\).pdf](http://www.ajssh.leena-luna.co.jp/AJSSHPDFs/Vol.1(4)/AJSSH2012(1.4-32).pdf)

<sup>11</sup> Annual Status of Education Report (ASER Center)

<sup>12</sup> National Family Health Survey, India (2005-06), by International Institute for Population Sciences, available on <http://www.measuredhs.com/pubs/pdf/OD57/OD57.pdf>

<sup>13</sup> "Gujarat State Gender Equity Policy Draft" available on <http://www.gujhealth.gov.in/images/pdf/gep-draft-2004.pdf>



example of a state where economic gains have not translated to social gains in the case of improving gender parity in basic education.<sup>14</sup>

The WCD Department with the ICDS and IWDS (Integrated Child Development Service and Integrated Women's Development Service) functions for the Empowerment, upliftment and welfare of Women and children under its various schemes. Initiated by GOI, the ICDS and IWDS scheme was launched in 1975 and expanded to over 5000 + projects spread over 35 states benefiting 35 million children (0-6 years) and about 6.6 million pregnant and lactating mothers through a network of 6 lac Anganwadi centres. The Department is sensitive in eliminating gender based discrimination from society through gender sensitization and gender just development in Gujarat. It mainstreams women in programs, plans, development and implementations by bridging the gap of gender bias. It has fringed policies that ensure gender equality. For the family welfare, the department functions for activities in coordination with other Departments and organizations in connection with this subject. It plays a significant role for Socio-economic-educational welfare of Women and children and imparts empowerment guidelines and awareness.<sup>15</sup>

#### **Gaurav Nari Niti:**

The Government of Gujarat decided to formulate the Nari Gaurav Niti (GEP) in the year 2002. The State has sanctioned and announced the state policy for Gender Equity as 'Nari Gaurav Niti'. Gujarat Government formulated the Nari Gaurav Niti Policy with a view to create awareness in all its Administrative Departments on the socio-economic-educational and developmental sector of women and benefit them through the policy by active involvement of departments for timely modus operandi.

It consists of action plans and monitoring mechanisms and addresses public as well as private sectors. The autonomous Gender Resource Centre provides technical inputs in implementation and monitoring of the policy at State level. Working groups are formed and a series of deliberations take place on all aspects of gender equity and equality.

#### **Kishori Shakti Yojna:**

An intervention for adolescent girls (11-18 years) the Kishori Shakti Yojana (KSY) was launched in 2000-01 as part of the ICDS scheme. Kishori Shakti Yojana being implemented through Anganwadi Centres in both rural and urban areas. The scheme aims at breaking the intergenerational life-cycle of nutritional and gender disadvantage and providing a supportive environment for self-development. The objectives of the Scheme are to improve the nutritional and health status of girls in the age group of 11-18 years. A group of ten girls in a batch, who would be expectant mothers in future, are given Health Check up by Anganwadi centres. They are also provided required literacy and numeracy skills, stimulation to social exposure and knowledge to help them improve their decision making skills. The adolescent girls are given home based and vocational skills, awareness on health, hygiene, nutrition, family welfare, home management and child care guidance with measures to facilitate marrying after marriage age of 18 years. They are encouraged for productive and constructive activities for their own development as well as for their family.

Thus, it is clear from the above fact that Government of Gujarat after seeing the past record of the Gujarat has started certain initiatives not restricted to the education only but those are the initiatives in the fields of reducing Gender Discrimination as well as improving the living standards of the women and girls in the different fields of life. The overall development of women will increase the number of girl child in the Primary education and will decrease the gender gap in Gujarat.

### **V. BEING DALIT AND FEMALE- A CASE OF GUJARAT**

Mangal is fifteen years old. She lives in a large dalit basti in Baroda. Her father works as a daily labourer and her mother does domestic work. Mangal went to a local government school up to the third standard, after which she was taken out to look after her younger brother and sister. She has forgotten how to write, but can read a bit of Gujarati. She worked as a helper in an English pre-school near her home. She loved her job, because she was able to teach little children. And she learned some English as well. The people in the basti taunted Mangal because she resisted cooking and doing household work; they said she thinks too much of herself because she works in a school. Mangal's marriage had been fixed up when we first met her. She says she does not want to do housework all her life. Just because she was taken out of school, she says, doesn't mean she cannot become somebody. Months later, we meet Mangal again. She now lives with her husband and his family in a small village near Baroda. She is pregnant, and looks tired. There's a lot of work to do on the land. She misses her work in the school. 'But I will do something in the village later', she tells us, dreams returning to her eyes. Girls have to go to school, she says, so that they can become somebody without fighting as much she has had to.

<sup>14</sup> *Supra* 5

<sup>15</sup> Women & Child Development Projects & Initiatives (Major Initiatives), available on <http://www.gujaratindia.com/initiatives/initiatives.htm?enc=TEnmka18rLd9cWRBUEx85lswwfZZ+o8b+w+YfQPpy7dU93tk/rntr0H+OnwOK0bubK2dqUjsldClTFIjZdUcWn/5YFP5V6WVmXePkMLjY894AEfJwh2EljdTaOZ3IIUvH4W9EGD3L1txLeXBWa eYyQ==>



This real life incident says that the girl child right from the birth or even when she is in the womb of her mother has to fight for here to become somebody someday.

Violence and violent conflict, both in the public and domestic realms, affect the mental health of individuals, often resulting in crippling levels of trauma and loss. Situations of violent conflict have had a serious impact on education in general and girls in particular. The 2002 communal carnage in Gujarat has seriously impacted the access to education opportunities of Muslim girls, both in the immediate and long-term context.<sup>16</sup>

While communal perspectives have been present in textbooks in earlier periods too, studies done of textbooks rewritten from this perspective, for example in Gujarat, highlight their ready potential to contribute to a culture of divisiveness between religious communities.<sup>17</sup> While boys are subject to acute pressures of militant masculinity, the roles of women and girls are further represented as circumscribed by the community and they are portrayed primarily as upholders of tradition and family values.

The Convention provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life -- including the right to vote and to stand for election -- as well as education, health and employment. States parties agree to take all appropriate measures, including legislation and temporary special measures, so that women can enjoy all their human rights and fundamental freedoms.<sup>18</sup> The objective of the convention is to make the women and man at par in the present 21st Century and to eliminate all the beliefs prevailing about women in past centuries. But the sad part is that still Gujarat the CEDOW guidelines are not followed. Still there is discrimination prevailing amongst the Gujarat's different societies. So, it is clear that the guidelines of CEDOW are not been implemented yet in Gujarat. The Government of Gujarat is trying but still the outcome is yet to come.

## VI. CONCLUSION

The Constitution of India ensures gender equality in its preamble as a fundamental right but also empowers the state to adopt measures of positive discrimination in favour of women by ways of legislation and policies. India has also ratified various international conventions and human rights forums to secure equal rights of women, such as ratification of convention on elimination of all forms of discrimination against women in 1993. The Government has also drawn up a draft National Policy for the empowerment of women which is a policy statement outlining the state's response to problems of gender discrimination. Ministry of Human Resource Development has also launched a National Mission for Female Literacy, with focus on minorities, SCs, STs and other marginalized groups. During the year 2010-11, out of 2573 Kasturba Gandhi Balika Vidyalaya (KGBV) sanctioned, 427 KGBVs have been sanctioned in rural and urban areas of Muslim concentration areas.<sup>19</sup>

Some 121 million children are not in school, most of them girls. If a family can afford school fees for only one child, it will likely be a boy who attends. If someone needs to fetch water or do housework instead of going to school, a girl will likely be chosen. If someone needs to stay home to care for younger siblings or sick or infirm household members, this will most likely be a girl: girls will also most likely be withdrawn from school early in adolescence as the age of marriage approaches.<sup>20</sup>

Yet study after study shows that educating girls is the single most effective policy to raise overall economic productivity, lower infant and maternal mortality, educate the next generation, improve nutrition and promote health. Girls with at least six years of school education are more likely to be able to protect themselves from HIV/AIDS and other diseases. Educated mothers immunize their children 50 per cent more often than mothers who are not educated, and their children have a 40 per cent higher survival rate. Moreover, mothers who have had some education are more than twice as likely to send their own children to school as are mothers with no education.

Without socio-economic equality for women in poor sectors of India, the impacts of efforts at development cannot become fully realized. India must value women as human resource assets and not liabilities. Socio-economic development can both empower women and raise the status of the Indian economy. Women need employment justice. Education, vocational training, and skill improvements would increase the capacity for gainful economic participation of women in India. The needs of women in poor sectors of India should be included in a national approach to workforce development.

To conclude the researcher would firstly like to say that the hypothesis made by the researcher partially stands correct and partially not. The first hypothesis made by the researcher is wrong in nature. After becoming party to the various International Organization India more specific Gujarat has yet not implemented the principles of International Organization. There are still inequalities prevailing in Gujarat between girls and Boys. The data shows that the gender gaps increasing in Gujarat. Government

<sup>16</sup>“Gender Issues in Education” by National Council of Education Research and Training” available on [http://www.ncert.nic.in/rightside/links/pdf/focus\\_group/gender\\_issues\\_in\\_education.pdf](http://www.ncert.nic.in/rightside/links/pdf/focus_group/gender_issues_in_education.pdf)

<sup>17</sup>The National Steering Committee on Textbook Evaluation, Recommendation and Report II, NCERT (National Council for Educational Research And Training).1999; Publications of VidyaBharati (Section VI of the report)

<sup>18</sup>Convention on Elimination of All Form of Discrimination Against Women

<sup>19</sup>Supra 7

<sup>20</sup> “Goal: Promote Gender Equality and Empower Women” by UNICEF <http://www.unicef.org/mdg/gender.html>



of Gujarat is taking initiatives to resolve the present issue very badly but such types of issues are not solved easily. To change the practice which has been performed by the different communities through ages cannot be changes suddenly. And being a poor population county, it is very difficult for those people to grasp the change quickly.

The second hypothesis made by the researcher is true in its nature. As discussed earlier there are many pre national thoughts about women. The main problem today is that the society cannot accept the fact that women are somebody. The Universal Declaration of Human Rights defined definition of Human rights and included women and child in the same definition. Women were and are still considered inferior to man. When there is any housework to be done people think that it is the implied duty of women to perform it. Nobody out of this world thinks that Right to Education enshrined under Article 21-A of the Constitution is as similarly applicable to the girl child as applicable to a male child.

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