

## **Gender Discrimination in Jammu and Kashmir (union territory) of India in context to Education, Marriage, Health, Citizenship and Economic Activities.**

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### **Abstract.**

When the word male female is used we commonly refer to biological differences but when we use the term gender we are going beyond biological or anatomical difference between these two sexes to their socially constituted roles and status. Everybody has equal rights to survival, protection, development and participation. In the Jammu and Kashmir state though the discrimination in access to education still exists, too many females of Jammu and Kashmir are illiterate and literacy rate is very low and stands at 58.01% only as per the 2011 census and 68.05 as per NSSO Survey 2017-18. People from Jammu and Kashmir were highly conservative towards women education and empowerment. The role of women in the society remained restricted to domestic affairs.

Social, political and economic condition of Jammu and Kashmir increased gender inequality. Women do not have to access to education. Women's role has traditionally been domestic. J&K is a male dominating territory where in many areas the birth of son is celebrated while the birth of a daughter is not because daughters are considered expenses since she will get married and the leave the maternity home.

### **Methodology**

Present study is based on Secondary data obtained census of India 2011, State Digest of Statistics and other published work. The present study is supported by research data and observation of my research. During the research it was observed that gender discrimination exists in the Jammu and Kashmir (Union Territory) of India.

### **Objectives**

1. To explore the gender discrimination in the Jammu and Kashmir (Union Territory).
2. To study the gender inequality in the fields like Education, Health, Marriage, Citizenship, economic activities and Patriarchal cultural in Jammu and Kashmir.

### **Area of the study**

For the present study Jammu and Kashmir (union Territory) is chosen for the study. Jammu and Kashmir region administered by India as a state from 1954-2019. After the Indian government abolished the Article of 370 and 35A in august 2019, state is recognized into two union territories -Jammu and Kashmir and Ladakh. in Jammu and Kashmir majority of people about 97% are Muslim majority population. Area covered by Jammu and Kashmir 222,236kmsq. The total population was 1.25 crore according to census 2011. About 75% of people are engaged with agriculture directly or indirectly. Handicraft sector considerable foreign exchange. the proportion of below poverty line population is very low than the rest of the states and Union Territories of India.

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## **I. INTRODUCTION**

When the word male female is used we commonly refer to biological differences but when we use the term gender we are going beyond biological or anatomical difference between these two sexes to their socially constituted roles and status. Everybody has equal rights to survival, protection, development and participation. In the Jammu and Kashmir state though the discrimination in access to education still exists, too many females of Jammu and Kashmir state are illiterate and literacy rate is very low and stands at 58.01% only as per the 2011 census. People from Jammu and Kashmir were highly conservative towards women education and rights. The role of women in the society remained restricted to domestic affairs.

Social, political and economic condition of Jammu and Kashmir increased gender inequality. Women do not have to access to education. Their role has traditionally been domestic. J&K is a male dominating society where in many areas the birth of son is celebrated while the birth of a daughter is not. Because daughters are considered expenses since she will get married and leave the maternity home. Men think that they cannot call

themselves a real man if he does not suppress the rights of woman and holds women's life in their own control and crush all rights of woman under his feet as they think they are providing food and shelter for their living. Man-made rules make their life like hell and some times in the name of family prestige and honor women's rights and decisions have been sacrificed. Due to lack of education in women, they cannot raise their voices against injustice done to them in the name of religion, culture, prestige and so-called manhood. If women were educated they would have refused raised their voice against violence.

### 1. Gender discrimination in literacy.

#### State wise/Union Territory female and male literacy rate according census of India 2011 Census 2011

**Table no. 1**

1	State/UTI	Female	Male
2	Kerala	91.98	96.02
3	Mizoram	89.40	93.72
4	Lakshadweep	88.25	96.11
5	Tripura	83.15	92.18
6	Goa	81.84	92.81
7	Andaman and Nico bar island	81.84	90.11
8	Chandigarh	81.38	81.45
9	Puducherry	81.22	92.12
10	NCT of Delhi	80.93	91.03
11	Daman and Diu	79.59	91.48
12	Nagaland	76.69	83.29
13	Himachal Pradesh	76.60	90.83
14	Sikkim	76.43	87.29
15	Maharashtra	75.48	89.82
16	Tamil Nadu	73.86	86.81
17	Meghalaya	73.78	77.13
18	Manipur	73.17	86.49
19	Punjab	71.34	81.48
20	West Bengal	71.16	82.67
21	Gujrat	70.73	87.23
22	Uttarakhand	70.70	70.70
23	Karnataka	68.13	82.85
24	Assam	67.27	78.81
25	Haryana	66.77	85.38
26	Dadra and Nager haveli	65.93	86.46
27	Orissa	64.36	82.4
28	Chhattisgarh	60.59	81.45
29	Madhya Pradesh	60.02	80.53
30	Andra Pradesh	59.74	75.56
31	Arunachal	59.57	73.69
32	Uttar Pradesh	59.26	79.24
33	<b>Jammu and Kashmir</b>	<b>58.01</b>	78.26
34	Jharkhand	56.21	78.54
35	Bihar	53.33	73.39
36	Rajasthan	52.66	80.51

According to the census of India 2011, in Jammu and Kashmir male literacy rate has higher than female literacy rate and stood at **78.26%** higher than **58.01%** of females. There was considered a huge gap of 20.25% between male and female literacy rate in Jammu and Kashmir.

#### **What are the reasons keeping girls out of school in J&K.**

1. lack of awareness in women of their rights.
2. females do not have courage to make decisions of their own. Decisions are taken by their parents and due to parent's stereotypical thinking they believe that educating their daughter is waste of time, energy and money.
3. lack of good school for girls. Most of the parents especially from rural areas don't preferred co-education system due to their cultural and religious beliefs.

4. lack of proper transportation.
  5. poverty: due to financial problems parents prefer to educate their son over daughter.
- It is observed that the gender disparity in literacy are still exists.

**NSSO survey 2017-2018 literacy percentage of state/ Union Territories**

**Table no. 2**

	State/UT	Female	Male
1	Kerala	95.2	97.4
2	Mizoram	-	-
3	Lakshadweep	-	-
4	Tripura	-	-
5	Goa	-	-
6	Andaman nicobar island	-	-
7	Chandigarh	-	-
8	Puducherry	-	-
9	Delhi	-	-
10	Daman and Diu	-	-
11	Nagaland	-	-
12	Himachal Pradesh	80.5	92.9
13	Sikkim	-	-
14	Maharashtra	78.4	90.7
15	Tamil Nadu	77.9	87.9
16	Meghalaya	-	-
17	Manipur	-	-
18	Punjab	78.5	88.5
19	West Bengal	76.1	84.8
20	Gujrat	74.8	89.5
21	Uttarakhand	80.70	94.3
22	Karnataka	70.5	83.4
23	Assam	81.2	90.1
24	Haryana	71.3	88.0
25	Dadra and Nager haveli	-	-
26	Odisha	70.3	84.0
27	Chhattisgarh	68.8	85.4
28	Madhya Pradesh	65.5	81.2
29	Andra Pradesh	59.5	73.4
30	Arunachal	-	-
31	Uttar Pradesh	63.4	81.8
32	<b>Jammu and Kashmir</b>	<b>68.0</b>	85.7
33	Jharkhand	64.7	83.0
34	Bihar	60.5	79.7
35	Rajasthan	57.6	80.8

**Source: NSSO SURVEY (75<sup>th</sup> round of national sample survey from July 2017 to June 2018)**

According to the survey, in Jammu and Kashmir male literacy rate has higher than female literacy rate and stood at **85.7** higher than **68.0** than females. There was considered a huge gap between male and female literacy rate in Jammu and Kashmir.

Comparing table no. 1 from table no. 2 average literacy rate of females has shown an overall increase of **58.0%** in 2011 and **68.0%** in 2018, still male literacy rate is high as 20.25% in 2011 and **17.7%** in 2018.

An analysis of statistics of previous years that female literacy rate has beaten its previous record of **58.01** in 2011 and new record of **68.0%** is registered in 2018. Both male and female registered better literacy rate as compared to previous years. The overall literacy rate of Jammu and Kashmir state was **67.16%** in 2011 and **77.3%** in 2018.

**Comparison of Jammu and Kashmir female literacy rate with male literacy rate.**

**Table no.3**

Census year /survey	Males literacy%	Females literacy%
1961	19.75	5.05
1971	31.01	10.94
1981	41.46	18.73
2001	66.60	43.00
2011	78.26	58.01
2018	85.7	68.0

Although the literacy rate of Jammu and Kashmir state is very low recorded at the national level. During the year 1961 – 2011 literacy rate are increased by 56 points and it is recorded an increase of 46 points at national level. The state has shown the progress in the literacy rate among males and females in 2018 but still female literacy rate is very lower than male literacy rate in the region. In table no. 3 there is a huge gap between male and female literacy rate in from the year 1961 to 2018. From 1961-2018 census male literacy rate is reached to **85.7%** whereas female literacy rate is stood at **68.0%** which is very lower as compared with male literacy rate, further analysis of data shows that there is a progress in female literacy rate. What is the reason for this progress:

1. Launch of Sarva Shiksha Abhiyan (SSA), Mid-day meal scheme (MDMS) and provision of free text books, Scholarships and other educational facilities. Because of these facilities J&k has been to reduce the dropout rate in literacy.
  2. 'Beti Anmol' Scheme during 2011-12. Under the Scheme, Rupees 5000 is to be given as incentive to the girl student who pass their Matriculation exam. The scheme is only for educationally backward and belongings to below poverty line.
  3. Society for Human Welfare and Education was set up in 1941, its primary objective is to provide education for poor children.
- Jammaati-Islami organization was established in 1944. The organization is running 30 schools.

**1. Gender discrimination in Citizenship and Residential Rights**

According to article 370 and 35A which granted a special status to Jammu and Kashmir UT, THIS Article empowered the J&K legislature to define permanent resident of the Jammu and Kashmir UT hence article 370 and 35A provides special status rights and privileges to the people of J&K.

If women marry a non -permanent resident she will lose her permanent Resident status and she is not allowed to buy property and also can lead to a denial of their rights to take over her own property and the state disqualified them from being a permanent resident of the state. However such exclusionary provision does not apply to male of J&K permanent resident marrying with female nonpermanent resident of J&K state. No such law affects a male in the same situation; his rights and status remain the same. The constitutional rights worked against females of the Jammu and Kashmir state. If women marry outside they will lose their permanent resident status. After abrogation of article 370 and 35A on august 2019 women now have access to constitutional rights of equality in citizenship and residential rights but on the other side, Jammu and Kashmir is now totally under the control of Indian security forces, where women are feeling more unsafe and they are not much happy with it.

According to Human Right Watch (HRW) report in 1993, the security forces used rape as a method of retaliation against Kashmiri people during reprisal attacks after ambushes. According to the Medecins Sans Frontieres study in 2005, the rate of sexual violence in Kashmir against women was one of the highest in the world's conflict zones. During some interviews of Indian soldiers on why they raped local women in Kashmir, some of them responded that Kashmiri women were very beautiful.

**2. Gender inequalities in economic Activities.**

Generally, it has been observed that women's rights to inheritance, education, political rights, constitutional rights and employment in J&K are lower as compared to men. Limited opportunities provided for women to create choices that allow them to make changes for betterment of their lives. J&K is the society where cultural pattern, rituals and traditions continue to promote in favor of male dominance which affects women badly in public and private. Men are seen to get jobs and become support of his family whereas females are seen as an expense.

According to the center for monitoring Indian economy figures, J&K unemployment rate remained at 26.53% in May 2020 (as per the data available with tribune). 76.5% women are unemployed while as unemployment among men are only 19.35%. Moreover, women are not allowed to do a job.

With the changing socio-economic reality, many men want to marry working women but they are unprepared when it comes to divide responsibilities of household. Men expect women to be superhuman as she should be a perfect wife, perfect daughter in law, perfect mother, perfect home maker and should have perfect career. This over burden can lead to mental health issue and deteriorates their emotional and physical health. According to the Kashmir mental health survey 2015, 50% of women compared to 37% of men suffered from depression, 36% women compared to 21% of men had anxiety issues, 22% of women compared to 18% of men are suffering from posttraumatic stress disorders and 65.9% are Anaemic according to National Family Health Survey (NFHS).

**Health:** Ongoing conflicts in J&K has affected women health. Women bear brunt of poor healthcare facilities especially in rural areas. Women need reproductive healthcare, family planning, HIV/AIDS information on safer sex, unwanted pregnancies, sexually transmitted diseases, early pregnancies, safe abortion and motherhood. Awareness about reproductive health is very important. J&K is a conflicted area, living there results in high burden which affect the health of people specially women. People from remote areas face problems with access to healthcare and face difficulties to reach healthcare center. J&K is disputed area and remains in the state of shocks and anger. Kashmir has been always put under curfew, lockdown, communication and internet remains mostly cut which leads to major health crises in the valley.

### **3. Gender Discrimination in marriages.**

In Jammu and Kashmir, caste is given priority over everything else while looking for match especially for women. Girls at very young age are taught that how they are pride of their family especially for their parents. At the time of marriage, the most of the blessing given to the bride are “**Dudho Nahao, Putho Phalo**” means take a bath in milk and beget sons. Preferring is still a reality. Naturally with such kind of mindset, a girl or women choosing her life partner is frowned upon. If her life partner belongs to other community, other caste, other sect, lower caste, then the women are cursed. In many cases women are tortured or killed with her partner for the sake of family’s honor.

If women are unable to have freedom to make their own decision about marriage. Society cannot progress, it is a time to speak about the right to choose their own life partner; not capitulate to societal demands and pressure of “arranged and forced marriages. There is Caste bar on marriages in J&K. Parents are ready to compromise on all important factors like education, well settled, temperament etc. they are not ready to compromise on caste disparities. About 97% of J&K population belong to Muslim community and follow Islam. Islam does not endorse caste bar on anything especially on marriages. The biggest example is that of Prophet Mohammad SAW who married women across ethnic lines. It is verified that in Islam there is no prohibition on marrying outside the caste. J&K is not alone as far as caste bar and inter sect marriages is concerned the issue is widespread across the country.

All this stems from deep-rooted misogyny where women are considered as son-producing machines, which will help take the family name forward. The recent controversy and the term ‘love jihad’ signifies nothing more than the disrespect society has for women’s choices and mistrust in her decisions regarding choosing a life partner for herself.

Society cannot and won’t progress if it is unable to let women have the freedom to make their own decisions. It is time that more women speak about the right to choose their own partner and not succumb to societal pressure of “arrange marriage”.

In J&K caste is given priority over everything else. Their surname and beliefs are Perhaps carried more value for parents than their daughter’s life and happiness. This is the main reason for late marriages in Jammu and Kashmir. women are discriminated on the basis of these bars. These restrictions on marriage are not applicable for men in J&K. parents even allow their sons for intersect marriages whereas daughters are not allowed if they would do so parents threaten their daughters. Men are allowed by their parents to choose their own life partner but daughter are not. Its not a grave that women must fit in. J&K women are fighting for martial rights. The decision of marriages is forced on them by male decision whether she is a happy or not. If women want to marry men from another section it might be difficult to handle it with wisdom. Parents are not supportive for their daughters, they think what people will say, what will we tell our relatives whereas these barriers are not applicable for their son if he will do the same parents might be proud of him because they think after marriage his daughter in law would follow their religion and live according to them. Hope it’s not too late before people realize that religion and beliefs are the personal issues between individual and his Creator. women should be free to express their religion and beliefs.

**Dowry:** Dowry system in Kashmir is completely injustice to women and does not give equal status to women in the society. They have been harassed by their husband and in laws and been mentally tortured to commit suicide. Due to the dowry system in Kashmir girl children are neglected and many people mourn it as a bad

omen has drowned upon them if baby girl is born. This type of biased behavior towards girls looks women down weaker in the society. Many parents do not want to spent money to educate their daughters as they think they have to use that money when their daughter will get married. Though many people have opposed to dowry system but yet its roots are deep down in the society.

#### **4. Gender stereotypes in fashion and restriction on women's dress**

**Feminism:** Feminism is assumed to be anti-men, anti-culture and anti-religion. Clothing for men and women is culturally defined by the society. According to the Kashmiri people, women should not wear western clothes she should be sensitive to the local ethos, and should wear salwar kameez and head cover. In 2012 "Jamaat-Islam organization (Jammaati-Islami organization was established in 1944) which issued dress code for visitors also that "Honor" their local sensitivities. The big question though, "is it applicable for males also"? Women are not allowed to wear jeans and tops because it is inappropriate according to the Kashmiri culture and Men have rights to dress up how they want. Wearing a jean, a veil and a hijab is a personal choice for it is a matter of feeling comfortable. Kashmir has amazing and unique culture. Many Kashmiri people are following such tradition and culture gracefully especially women.

The typical dress of Kashmir for both males and females is Pharan: a long and loose gown. Pathani or khan dress with skullcap for men and salwar kurta with head cover for women. Women have maintained Kashmiri culture whereas men have adopted western culture by wearing pants, shirts, destressed jeans, T shirts, shorts, capris sleeveless shirts etc. The question arises "is it only in the hands of women to keep their culture intact"? why cannot men maintain the culture who are most worried about the culture and tradition"? If men are so concerned about their Kashmiri tradition and culture then why they are not following themselves. Why only women are forced to follow the culture and tradition? Men are free to remain updated according to new and latest fashion trends but women have to be in traditional wear. If women do not follow tradition and not dressed up according to the culture, then she is been harassed and many people called her "characterless". In the year 2001 Kashmiri women were warned by militants to conform to Islamic dress code and many women were attacked with acid but the campaign does not sustain for long. However militant groups describe that the campaign is played by Indian intelligence agencies to defame the separatist movement in the state.

Males are provided internet facilities by their parents before girls. According to the National Family Health Survey (NFHS-5) the percentage of internet usage for Women and men (age 15-49 years) is only 43.3% in women compared to 72% of men. A very huge difference is seen in internet usage among men and women. Though the question is why it matters? The internet has a very impact on the lifestyle and empowerment. Gender equalities have been one of the important goals in our country, Internet availability to women will be a big step towards achieving the goals.

## **II. SUGGESTIONS AND CONCLUSION**

Gender bias is a global phenomenon. According to the various surveys, reports and census of India, gender discrimination in Jammu and Kashmir is clearly a matter of concern. There is 27% of gap between male and female literacy rate. It clearly reflects the attitude towards the girl education although, the female literacy rate has increased from 58.01% to 68.0% though the gender gap has increased from 17.7% to 20.25%. education is essential ingredient for women empowerment and the development of the any country. From above analysis it can be concluded that the position and status of women in Jammu and Kashmir reflects pathetic scenes. To conclude, educating women is important in improving the social, economical condition of women of J&K so that women know their rights and we have to stand with it.

From a very young age boys are taught to be tough, aggressive and must adopt a dominating nature in order to prove their masculinity men only have condition to dominate whereas girls are taught to be caring, soft, loving, submissive, kind and compassionate.

To create the world free of gender discrimination, we need to begin at our home first. Parents are the first role model of their children. If children grow seeing gender inequality being exercised at their home, they are likely to be more exposed to negative gender role stereotyping. Parents must equally treat their children and inequality has to be eliminated and to not normalize the ideas that men are superior than women and they possess the control over decisions and choices made by women.

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