

B.A.LL.B (Hons.) 5 YEARS INTEGRATED COURSE

SEMESTER-VIII

Course Code	BAL803
Course Title	Gender Justice and Feminist Jurisprudence
Type of Course	Core
L T P	5 1 0
Credits	6
Course Prerequisites	12 th
Course Objectives (CO)	To shift values, beliefs, attitudes, behaviours and practices (among individuals, and within communities and institutions) to recognise gender inequality as unacceptable and contrary to religious teaching and practice. To help ensure that community level faith responses to gender injustice are more effective and sustainable. To help ensure that legal systems (including religious and customary laws) recognise, prevent and adequately respond to gender injustice. To help ensure that gender justice is an explicit aim both of religious institutions and governments – with effective policies, programmes and resources in place to achieve it. To work to ensure that faith actors are no longer seen as a barrier to gender justice, but are recognised and supported to play a distinctive role in securing gender justice and the rights of both women and men, boys and girls.

UNIT-I

Gender Justice and Feminism: Concepts and Dimensions

Distinction between ‘sex’(nature) and ‘gender’(culture)

Notion of patriarchy, notion of discrimination, notion of division of labour, notion of discrimination

Concept of women welfare and empowerment social political, economic and cultural perspectives, Eradicating Injustice

Historical Background on Feminism

Growth of feminism and Feminist Jurisprudence

Impact and Contribution of Feministic Jurisprudence

UNIT –II

Gender Justice: Constitutional and Legal Perspective

Equality provisions in the Constitution of India - Preamble, Fundamental Rights and Directive Principles.

Unequal position of the women in personal laws: an overview

Hindu Laws: Marriage and Property

Muslim Laws: Marriage and Property

Christian Laws: Marriage and Property

Uniform Civil Code towards gender justice

Concept of Gender Justice: International Perspective

Convention on the political rights of women

Convention of elimination of all kind of discrimination against women, 1979

Convention on traffic in women and children, 1949

Recommendation of WTO on sex oriented Tourism

Women and Inheritance Rights: An Overview

UNIT –III

Varieties of Feminist Theory

Liberal Feminism: Equality and Stereotypes

Cultural Feminism: Difference and Devaluation

Radical Feminism: Dominance and Power

Postmodern Feminism: Questioning Identity

UNIT –IV

Law: Vehicle of Discrimination, Specific Issues

Reproduction and Motherhood:

Fetal Rights': A New Assault on Feminism

Right to Abortion promoting Equality

Surrogate Motherhood: Consent Brought

Rape Laws: unfavorable towards women

Marital Rape

Rape: A property Crime

Problem of Consent

Rape in the Feminist Eyes

Exploitation and sexual harassment at workplace

Feminist Perspectives on Environment issues and Legal Response

Courts and Feminism

Suggested Readings:

Jennifer Pierce, *Gender Trials: Emotional Lives in Contemporary Law Firms*, University of California Press, 1996, 978-0520201088

D. Kelly Weisberg, *Feminist Legal Theory: Foundations*, Temple University Press, 1993, 978-1566390293 (FLT on syllabus)

Anne M. O. Griffiths, *In the Shadow of Marriage: Gender and Justice in an African Community*, University of Chicago Press, 1998, 978-0226308753

Adrien Wing, *Critical Race Feminism: a Reader*, 2nd edition, NYU Press, 2003, 978-0814793947

Vandana Shiva, 1989 *Staying Alive: Women, Ecology and Development*. London: Zed Books.

Nomita, Agarwal, *Women and Law in India*, New Century Publications, Delhi, 2002.

Rashm Agarwal, and B.V.L.N. Rao, *Gender Issues- A Road Map to Empowerment*, Shipra Publication, New Delhi, 2004.

Kamala Bhasin,, *Understanding Gender*, Kali for Women, New Delhi, 2000.

Maitrayee Choudhry, (ed.), *Feminism in India*, Kali for Women, New Delhi, 2004

Anjani Kant, *Women and the Law*, A.P.H. Publishing Corporation, New Delhi, 1997

Universal Declaration of Human Rights 1948

Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949

Convention on the Political Rights of Women, 1953

Convention on the Elimination of All Forms of Discrimination against Women, 1979

