Justice Mohammad Anwarul Haque

## "GENDER EQUALITY"

Justice Mohammad Anwarul Haque Bangladesh Supreme Court.

In the year 1994 women carried their banner in Cairo and after one year they linked their arms in Beijing, which were milestones to their advancement in protecting as well as projecting their rights in society at large. In fact, women are more than half of the world's population and most of the world's caregivers. Generally, woman works on average one to three hours in a day more than a man in the same society but yet they are neither being protected nor respected in all strata of social life. Even women's role in agriculture has been traditionally underestimated. Women also represent a large proportion of workers, employed in health care services. Health care workers receive low remuneration and face difficult working conditions and numerous occupational safety and health hazards including work related disease of a complex multifactor nature. Often nurses and hospital helpers are found in precarious forms of employment. Most of the women have few choices at to where they can work. They are being engaged in work that can be heavy, dirty, monotonous, and low paid and which involves long hours of work with no access to health service. This is particularly the case of those women, working in the informal sector, where they are caught in vicious circle having no opportunities for education or occupational safety and health policy.

Now, it has become an important subject for re-affirmation of the globalization of a commitment to achieve gender equality. We are to take another step towards globalize social progress when we claim to be champion of gender equality as a matter of rights and social justice as well as efficiency and good business sense. The global charge, taking place, has undoubtedly generated many new economic opportunities. But not enough which have been able to reap the benefits. Consequently globalization is experienced by many as heightened in security, uncertainty or some times marginalisation. Indeed, we can observe just by reading newspaper that uneasiness prevails in the process as a whole in the name of social progress. It has lagged behind the accelerated pace of the new global economy. In these circumstances, the befitting work is needed for them in order to maintain healthy family life as well as to contribute in the national economy also.

The concept of befitting work encapsulates our response. Reflects the wish of women and men everywhere for work will have to bring them security and assure a generally decent standard of living for themselves and other member of their families. In this context it can be said that the befitting work is such a work on which any one can educate her children, lead a stable family life with proper security and health; and work in which every one irrespective of sex will be treated as a human being and will

allow a future economic security by way of granting pension when the time will come if he or she performs their respective duties according to the rules.

The word "befitting work" has been used since it is positive, it is real, and it is dynamic. Women and men can understand perfectly well what it means in their own lives, based on their realities.

Work, as we know, is central in the lives of women and men everywhere and its availability, absence, quality or loss are the key concerns not only for the individual but also for his or her family, community and the nation. It is probably the most important single element that affects the life of individual human beings. Because work takes many forms; in many places and under different conditions, so concept of befitting works embraces everyone in the factory, farm, home or street, seekers and dreamers in the work place or in the workspace where the new technology is adopting. In this circumstances not only those with formal employment but also selfemployed, casual and informal workers, those are struggling with inadequate livelihoods, those who are paid or unpaid and also those who rarely see because of gender blindness. But if we use gender lens we can begin to see the pattern and differences of the wrap and woof of work, that are woven with rigid ideas around gender. This quilt of inequality is not decent from my point of view. Women's work is much more often unpaid than men's, or women are paid less than men for the same work particularly in informal sector like agriculture and construction and sometimes what they do is not even considered "work" at all. We seek to change women's relative position vis-a-vis men and improve the overall choice for both.

Befitting work is also an aspiration and a goal to guide our efforts and judge our progress. It is the key to setting in motion the process of inclusion that will help to make markets for everybody. Considering this aspect we must marshal our collective wisdom and resources to make a breakthrough in several areas.

The first is poverty and rising inequality. Males still have a disproportionate share of wealth: whereas females have a disproportionate share of poverty. The befitting work's strategy is the way from where women can make themselves from out of poverty because it is based on principles of equality and equity in working place and at home.

Secondly, we must focus on the informal economy, which as expanded rapidly. In our country majority of the workers of that sector are women but we don't try to understand how women and men are experiencing in those informal sector. It means examining and possibly reshaping our statistics, policies, protection system, organizing methods and employment practices in relation to their reality. We must learn to look at problem through the eyes of the people at large.

Thirdly, the globalization of commitment to gender equalities forcing us to rethink how we organize our lives. Women's increasing participation in the labor force is perhaps the most important factor to determine the social policy agenda in the beginning of the new century. It has also exposed the unreal universalism of social protection systems, based on gender stereotyped and ethnocentric notions of full employment. It is challenging us to come up with new systems that can offer protection to all women and men in precarious activities, not just those in wealthy and developed countries in the formal paid economy.

Forth, coupled with the advances in communications and information technology, matching demand with supply of labor is being profoundly transformed. Yet, because of persistent gender inequalities, women face different issues whether the work is high tech or high touch.

Finally, there is an urgent need to move our focus from the impact of family responsibilities on work to the impact of work, or lack of work, on our family and personal lives. We must not forget that an unemployed person normally results, also, in a very unhappy family, and worse still if it is a single parent home. Work is a means to an end as well a means of expression, creativity, contribution and fulfillment. Women's leadership and more gender-balanced decision making at every level are crucial to this process of transformation.

Platform for Action was created in the Beijing forum-1995 to inform the world and to carry forward an age-old struggle: the pursuit of economic and social progress for men and women, based on respect for the dignity and value of each and other. Further call of the forum was to promote and protect human rights and to stress that women's rights are neither separable nor different from those of men. In fact, without empowering women by enlarging their role in making economic and political decisions no country can develop if half of its human resources are devalued or repressed. We must believe that girls must be valued to the same degree as boys. Our country has led efforts to promote equal rights for women. Women, in their varied roles as wives, mothers, farm laborers, factory workers, organizers, community and national leaders, help to build up the country. Article 27 and 28 of the Constitution of the People's Republic of Bangladesh have ensured equal rights for all and also forbids discrimination on the basis of sex. In the year 1978 the Government of People's Republic of Bangladesh has also established a separate Ministry for Women Affairs to promote their advancement with an intention to bring them in the mainstream of national life. A rich network of nongovernmental organizations has blossomed within our borders, particularly for women and girls, coming from all segments of society in order to educating, counseling and advocating change in the society. Still some barriers are found in the equal participation of women persist in the country; so some concrete steps are to be taken to advance the status of women where government shall have also to undertake to announce the commitments.

- a) Law enforcing agency shall have to launch a special program and initiative to fight against domestic violence and other crimes against women. A special fund will be used for specialized police and prosecution units and to train police, prosecutors and judicial personnel dealing with the crime.
- b) Respective department of the government will led a comprehensive assault on threats to health hazards and security of women promoting health behavior and increasing awareness and to ensure for women equal access to education and health care protecting against infective and fatal diseases. Health promotion policies, particularly in informal sector for working women need to take into account all their three roles; as housewives, as mothers and as workers. The effect on health of each role have to be looked at separately and potential conflict and contradictions between them need to be examined. A broad strategy for the improvement of women worker's safety and health has to be built up within a National policy on occupational safety and health, particularly in those areas where many women are concentrated.
- c) Department of Labor and Manpower will conduct a grassroots campaign to improve conditions for women in the work place. The campaign will work with employers to develop more equitable pay and promotion policies and to help employees in performing the twin responsibilities in the family and in the working place.

- d) Ministry of Finance will have to undertake new steps to promote access to financial credit, which will go to encourage in the field of economic empowerment of women. Moreover, effective and important initiatives are to be taken to increase women's participation in political process and to promote the enforcement of women's legal right.
- e) The Agency for International Development will continue to lead in promoting and recognizing the vital role of women in development. Let us strive for the day when every young girl, in every village and town can look ahead with confidence that their lives will be valued, their individuality will be recognized, their rights will be protected and their future will be determined by their own abilities and character. In this context version of Aung san Suuki (Noble Laureate) in reproduced here-

"It is the time to apply in the arena of the world, the wisdom and experience which women have gained.

It is the high time to unleash the full capacity for production, accomplishment and the enrichment of life that is inherent in the women of the world at large."

In fine, let us have a quote from the deliberation made by Ms. Hillary Rodham Clinton, the then First lady of the USA in United Nations Fourth World Conference on Women, Beijing, on 5<sup>th</sup> September, 1995:

"What we are learning around the world is that if women are healthy and educated, their families will flourish. If women are free from violence, their families will flourish. If women have a chance to work and earn as full and equal partners in society, their families will flourish. And when families flourish, communities and national will flourish."

In fact, I speak for those women around the world who are denied the chance to go to school, or see a doctor, or own property, or have a say about the direction of their lives, simply because they are women. The truth is that most of the women around the world work both inside and outside the home, usually by necessity. We need to understand that there is no specific formula for how women should lead their lives. That is why we must respect the choices that each woman makes for herself and her family. Every woman deserves the chance to realize her God-gifted potentials.

So, the voices of women must be uttered and aired more loudly and clearly:

- 1) It is the violation of human rights when babies are denied food, or drowned, or suffocated, or their spines broken, simply because they are born girls.
- 2) It is a violation of human rights when women are doused with gasoline, set on fire and burned to death because their marriage dowries are unpaid or deemed to be too inadequate.
- 3) It is a violation of human rights when a leading cause of death among women ages between 10-44 is the violence they are subjected to in their own homes or societies.

Women must enjoy the right to participate fully in the social and political lives in the country if we want freedom and democracy to thrive and to endure also.

Now, it is the proper time to act and to ensure the gender equality in order to solve and uproot the problems that continue to diminish the potentials of half of the world's population. Society can only take bold steps to better the lives of children and families too. Families rely on mothers and wives for emotional support and care, families rely on labor in the home, and increasingly families rely on income needed to raise healthy children and care for other relatives. So long as discrimination and inequities remain between men and women around the world and as long as girls and women remain valueless, feed last, over worked, underpaid, not schooled and subjected to violence in and outside of their homes; there will be hardly any scope to create a peaceful and prosperous society or national at large.

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