

B.A. LL.B. (Hons.) Semester – VIII

REVISED

PAPER II GENDER JUSTICE & FEMINIST JURISPRUDENCE

UNIT - I

Women in Pre- Independence India

1. Social and legal inequality
2. Social reform movement in India
3. Gandhian movement
4. Nehru's views- joint family etc
5. Karachi congress- Fundamental Rights Resolution,
6. Equality of sexes

UNIT-II

Women in Post- Independence India

1. Preamble of the Constitution – Equality provisions in fundamental Rights and Directives principles of State Policy
2. Negative Aspects of the Constitutions – Exploitation of sex not mentioned in Article 23.
3. Different personal laws- unequal position of women
4. Uniform Civil Code towards gender justice
5. Indian tradition and family ideology: growth of feminism

UNIT-III

Sex Inequality in Inheritance Rights

1. Continuance of feudal Institutions of joint family – women's inheritance position under Hindu Law
2. Inheritance right of women under Christian law
3. Inheritance right of women under Parsi law
4. Inheritance right of women under Muslim law
5. Movement towards uniform Civil Code
6. Matrimonial Property
7. Separation of property
8. Maintenance different system of personal law
9. Division of assets on divorce

UNIT-IV

Social Welfare Laws for women

Non-implementation of protective labour legislation

1. Maternity benefits Act
2. Equal remuneration as under **THE CODE ON WAGES, 2019**
3. Factories Act
4. Inequality in the work place
5. Additional burden of domestic responsibilities
6. Male bias

7. Lack of neutrality in law

UNIT-V

Criminal Law

1. Adultery
2. Rape
3. Dowry death
4. Cruelty to married women
5. Bigamy
6. Dowry prohibition
7. Amniocentesis

Suggested readings

1. Sivaramya B. matrimonial property law in India (1998), Oxford
2. Ratna Kapoor and Brinda Cossman, Subversive Sites: Feminist Engagements with law in India (1996), Sage
3. Patricia Smith (ed.) Feminist jurisprudence (1993), Oxford
4. 42nd Report Law Commission Dissenting Note Anna Chandy on provisions of adultery
5. towards Equality – Report of the Committee on the status of women (Govt. of India, Ch. IV and section IV : General Conclusions and recommendations
6. Lotika Sarkar: The Law of commission of India (1988)
7. Sathe, S.P. Towards Gender justice (1993), Research Centre for Women's studies