

Gender Justice within the Church

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Gender
Justice in
India



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GENDER

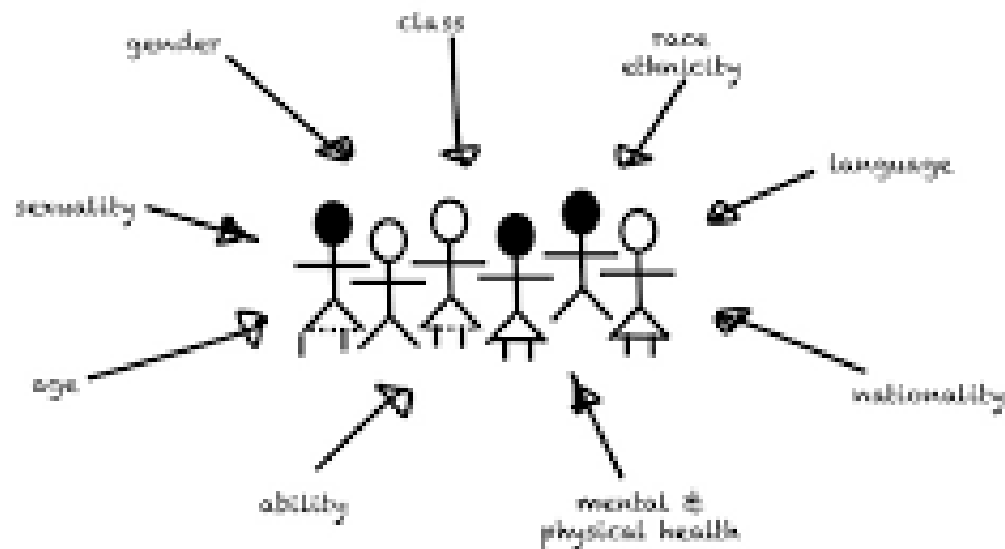
- An identity that is learned, that changes over time, and that changes from one culture or society to another
- Hence gender is both a social construct (something made up by people) and a personal identity.
- In social terms gender - refers to the socially created roles, personality traits, attitudes, behaviours and values attributed and acceptable for men and women as well as the relative power and influence of each

- Gender is relational (occurs in relation to something else) and refers not simply to women or men but to the relationship between them
- Example - a woman's gender not only means that she is considered and expected to have feminine attributes such as being soft-spoken or gentle, but that by having these characteristics society also expects her to be less dominant than men
- In personal terms - gender refers to the specific roles, personality traits, attitudes, behaviours and dress that individuals use to express their personal gender identity, and this is influenced by social ideas of gender and by personal feelings about oneself and how one wants to be, and be seen in the world

- Even though society tells us that there are only two genders,
- there are different ways to express gender which fall between or outside of man/boy and woman/girl
- Gender identity - refers to a person's deeply felt, internal and individual experience of gender, which may or may not correspond to the person's physiology or designated sex at birth
- Gender must not be viewed just in binaries - females & male
- Gender non-conforming, transgenders, genderqueer, a gender



INTERSECTIONALITY



- Gender is hierarchical and produces inequalities that intersect with other social and economic inequalities
- Gender-based discrimination intersects with other factors of discrimination, such as ethnicity, socioeconomic status, disability, age, geographic location, gender identity and sexual orientation, among others. This is referred to as intersectionality

Gender Equality

- “...the state of equal ease of access to resources and opportunities regardless of gender, including economic participation and decision-making; and the state of valuing different behaviors, aspirations and needs equally, regardless of gender
- The absence of discrimination on the basis of a person's sex in opportunities, the allocation of resources and benefits, or access to services
- Women and men and girls and boys all enjoy the same rights, resources, opportunities and protections

Gender Equality – Why does it matter?

- Women and girls represent half of the world's population and therefore also half of its potential – same holds true for the Church
- Inequalities faced by girls can begin right at birth and follow them all their lives
- Women continue to be underrepresented at all levels of political leadership
- One in three women worldwide experience physical or sexual violence, mostly by an intimate partner
- Violence against women and girls has immediate and long-term physical, sexual, and mental consequences for women and girls can be devastating, including death
- In some countries, girls are deprived of access to health care or proper nutrition, leading to a higher mortality rate

- Across the globe, women and girls perform a disproportionate share of unpaid domestic work
- Women are over-represented in informal and vulnerable employment
- Globally, women are paid less than men
- Women are more likely to be unemployed than men.
- Women are constrained from achieving the highest leadership position
- Women are less likely than men to have access to financial institutions or have a bank account

- Women are still less likely to have access to social protection
- Unpaid care work is essential to the functioning of the economy, but often goes uncounted and unrecognized
- Gender equality - probably even more distant than before, since women and girls are being hit hard by the COVID-19 pandemic

UN Theme for 2022

- The UN theme - “Gender equality today for a sustainable tomorrow”
- Gender equality - critical in the context of climate change, and environmental and disaster risk reduction, which are some of the greatest global challenges of the twenty-first century
- Without gender equality today, a sustainable future, and an equal future, remains beyond our reach



Gender Justice

- Entails ending the inequalities between women and men that are produced and reproduced in the family, the community religion, the market and the state
- Is the system redistribution of power, opportunities and access for people of all genders
- Intersectionalities – caste, class, religion, ethnicity, ability, sexuality, etc



Exercise 1 – A barrier to gender equality & gender justice that you have experienced...

- In your personal life
- In your ministry
- How did you deal with it?

Gender Equality in the Church?

- Institutional church - product of a patriarchal society and church –deeply hierarchical
- Decision making controlled by ordained men
- Priest - *In persona Christi* – in the person of Christ (privilege as against servant leadership)
- Deeply entrenched clericalism
- Feminization of the church - Women ancillary roles/ caregiving roles
- Commissions headed by ordained men



Gender inequality in the church

- Position of women in the church – majority of members are women/leaders are men
- God's will , various verses of Scripture - quoted to justify characteristics of women and men
- Gender roles – thought to be set by God and that fulfilling these assigned roles is proof that one is a good Christian

Portrayal of women in the Bible

- As secondary role players in God's plan for humanity
- As "background" so that in some cases their names are not even mentioned
- As embodying negative characteristics which are detrimental to men - Delilah, Eve, etc – consistently blamed for the "fall" of the great men of God
- As outside the character of God who is referred to as male
- Emphasis of Christ's maleness over his humanity

- Ephesians 5: 22-24 – used to define the space of women in home and society and also used in counselling victims of domestic violence to remain with their partners
- Texts or verses that glorify suffering: Isaiah 53:7ff
Christ submission to suffering continues to be used to encourage women to see suffering as God's will
- The misuse of Christian ethics – Forgiveness

Reconstructivist method of engaging with Scripture

- Engage with the entire Bible including difficult and problematic texts
- Multidisciplinary approach -uncover contributing factors in the construction of the texts
- Socio –cultural issues of the time, ideologies, etc
- Texts not written in a vacuum but influenced by the contexts in which the writers lived – socioeconomic and politics conditions under which the texts were written and interpreted
- Gender analysis important

A liberative Mariology

- Portrayal of Mary as obedient and submissive, passive receptive
- Embodying a kind of motherhood - imposes a strict limit on female aspirations outside the home
- A domesticated woman
 - Need to instead focus on Mary
- As a woman of faith who actively and freely responds to God's invitation
- A "self-defining woman" who announces the end of the patriarchal order
- A liberated woman who embodies the good news in the proclamation of the *Magnificat*



Scriptural basis of gender equality

- **Genesis 1:27 KJV** - So God created man in his own image, in the image of God created he him; male and female created he them
- John 10: 10 - ...but I came to give life—life in all its fullness
- **There is neither Jew nor Gentile, neither slave nor free, neither male nor female, for you are all one in Christ Jesus**



Building a Church of Christ – a community of equals

IT'S TIME FOR
GENDER
EQUALITY IN
OUR CATHOLIC
CHURCH_

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- Building a non hierarchical church - working together to root out clericalism
- Decision making powers – shared with the people of God - women
- Address gender and its intersectionalities – caste, ethnicity, class and sexuality in decision making
- Gender inclusive language
- Women as deacons?
- Gender policy of the Catholic church – good initiative - however not inward looking
- Catechesis – reexamine content and teaching from a gender lens - sexist, misogynist and homophobic views
- Zero tolerance policy towards abuse, discrimination – Vox Mundi, CBCI Sexual Harassment at the Workplace
- Immediate implementation of statutory requirements - eg ICCs

Formation

- Ordained Ministers/Seminarians/Clergy/Religious Women are products of socialization like all of us
- reflect, review, unlearn and learn
- Gender, sexuality , caste, class, etc. integral part of formation
- Experiential sessions – not just theoretical
- Sexuality often relegated to the realm of the eternal
- Theology of the body – based on human reality, especially the sexuality of women , sexual minorities and other subaltern communities
- Feminist theology - substantive part of curriculum
- Women (including religious women) to be part of recruitment process and formation
- Engagement of the secular world in formation – academics, activists, field engagement outside church confines

Ongoing formation – clergy

- Safe spaces to discuss issues of gender and sexuality
- Safe spaces to discuss personal desires – sexual, relationships, intimate relationships
- Safe spaces to discuss challenges and struggles with celibacy
- Opportunities to build wholesome friendships with men and women and even those who are gender non conforming
- Opportunities for ongoing capacity building (formal and informal) - on various issues including gender and sexuality

- Canon law to be aligned with civil law – in cases of abuse, etc
- Setting up structures for redressal/ grievance mechanisms – widely disseminate
- Transparency in appointments, tenure, 50% representation of women in all committees – headed by women
- Capacity building of women's commission, women's desks
- Engaging with academics/activists and movements of the secular world
- Victimhood and cover up will damage the credibility of the church and her mission – usher in God's reign
- Gender equality - become intrinsic & visible in all aspects of church life – doctrine, practice and leadership

- Clear knowledge of the law (civil and canon law) - Sexual harassment at the workplace, abuse of vulnerable adults, abuse of minors, sexual harassment in high education, IPC – Sec 377
- Understanding personal limits & boundaries – fiduciary responsibility, transference and counter transference, skills and qualifications, limits of pastoral role
- The importance of appropriate, skilled referrals
- Professionalism – where counselling is done

Orientation to International Law

- International human rights treaties require State parties to take proactive steps to ensure that women's human rights are respected by law and to eliminate discrimination, inequalities, and practices that negatively affect women's rights
- Under international human rights law, women may also be entitled to specific additional rights such as those concerning reproductive healthcare
- Women have special status and protection within the United Nations and regional human rights systems
- International human rights treaties prohibit discrimination on the basis of gender and also require States to ensure the protection and realization of women's rights in all areas – from property ownership and freedom from violence, to equal access to education and participation in government

International human rights instruments specifically address women's rights

- The United Nations (UN) Convention on the Elimination of Discrimination against Women (CEDAW) is the most comprehensive treaty on the rights of women
- It condemns any form of discrimination against women and reaffirms the importance of guaranteeing **equal political, economic, social, cultural and civil rights** to women and men
- 187 out of 193 member states have ratified CEDAW

- International Covenant on Civil and Political Rights(arts. 2, 3 and 26)
- International Covenant on Economic, Social and Cultural Rights (arts. 2, 3 and 7(i))
- Universal Declaration of Human Rights (preamble)
- Convention on the Rights of the Child
- Inter-American Convention on the Granting of Civil Rights to Women
- African Charter on Human and Peoples' Rights(art. 18(3)); along with the Protocol to the African Charter on the Rights of Women in Africa
- Convention on the Political Rights of Women

Domestic Law

- The Constitution of India – Preamble, Fundamental Rights & Directive Principles

Fundamental Rights

- right to equality,
- right to freedom,
- right against exploitation
- right to freedom of religion
- cultural and educational rights
- right to constitutional remedies

THE CONSTITUTION OF INDIA PREAMBLE

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a **'[SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC]** and to secure to all its citizens :

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity and to promote among them all;

FRATERNITY assuring the dignity of the individual and the ²[unity and integrity of the Nation];

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949 do **HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.**

1. Subs. by the Constitution (Forty-second Amendment) Act, 1976, Sec. 2, for "Sovereign Democratic Republic" (w.e.f. 3.1.1977)

2. Subs. by the Constitution (Forty-second Amendment) Act, 1976, Sec. 2, for "Unity of the Nation" (w.e.f. 3.1.1977)

Women Specific Legislation

- The Immoral Traffic (Prevention) Act, 1956
- The Dowry Prohibition Act, 1961 (28 of 1961) (Amended in 1986)
- The Commission of Sati (Prevention) Act, 1987 (3 of 1988)
- Protection of Women from Domestic Violence Act, 2005
- The Sexual Harassment of Women at Workplace (PREVENTION, PROHIBITION and REDRESSAL) Act, 2013_
- The Criminal Law (Amendment) Act, 2013, 2018
- The Indecent Representation of Women (Prohibition) Act, 1986_

Other legal instruments

- The Indian Penal Code, 1860
- The Indian Evidence Act, 1872

Church

- GENDER POLICY OF THE CATHOLIC CHURCH OF INDIA CBCI
Commission For Women, Catholic Bishops' Conference of India 2010
- CBCI GUIDELINES TO DEAL WITH SEXUAL HARASSMENT AT WORK-
PLACE, 2017
- Vox Mundi, 2019

Vos estis lux mundi ('You are the light of the world')

- *Motu proprio* by Pope Francis, promulgated on 9 May 2019
- It establishes new procedural norms to combat sexual abuse and ensure that bishops and religious superiors are held accountable for their actions
- It establishes universal norms, which apply to the whole church
- The law is effective for a three-year experimental period, coming into force on 1 June 2019.
- The document was issued three months after the sexual abuse summit convened by Pope Francis at the Vatican in February 2019.

SDG 5 – Targets (Personal is Political)

- What kind of policies should the Indian Church and religious congregations put in place for the promotion of gender equality?
- How do we end all forms of gender-based discrimination and violence in the public and private spaces?
- How do we ensure women's full and effective participation and equal opportunities for leadership at all levels of decision?

Threats to gender equality in India – macro context of hypernationalism & hinduization

- Triple Talaq – criminalizing Muslim men for desertion
- Uniform Civil Code – uniformity or gender equality/ justice
- Freedom of Religion laws
- Hijab controversy
- Love jihad

- Government - projecting itself as a savior/liberator of minority women
- Women's struggles for equality – challenging religious orthodoxy and gender injustice within religion e.g. Shani Temple, Haji Ali Dargah, Triple Talaq, Sabrimala
- Catholic nuns coming out in protest and solidarity
- # MeToo movements – globally and in India
- Institutional Church's credibility at an all time low - sexual abuse scandals, corruption and handling of the Jalandhar rape issue

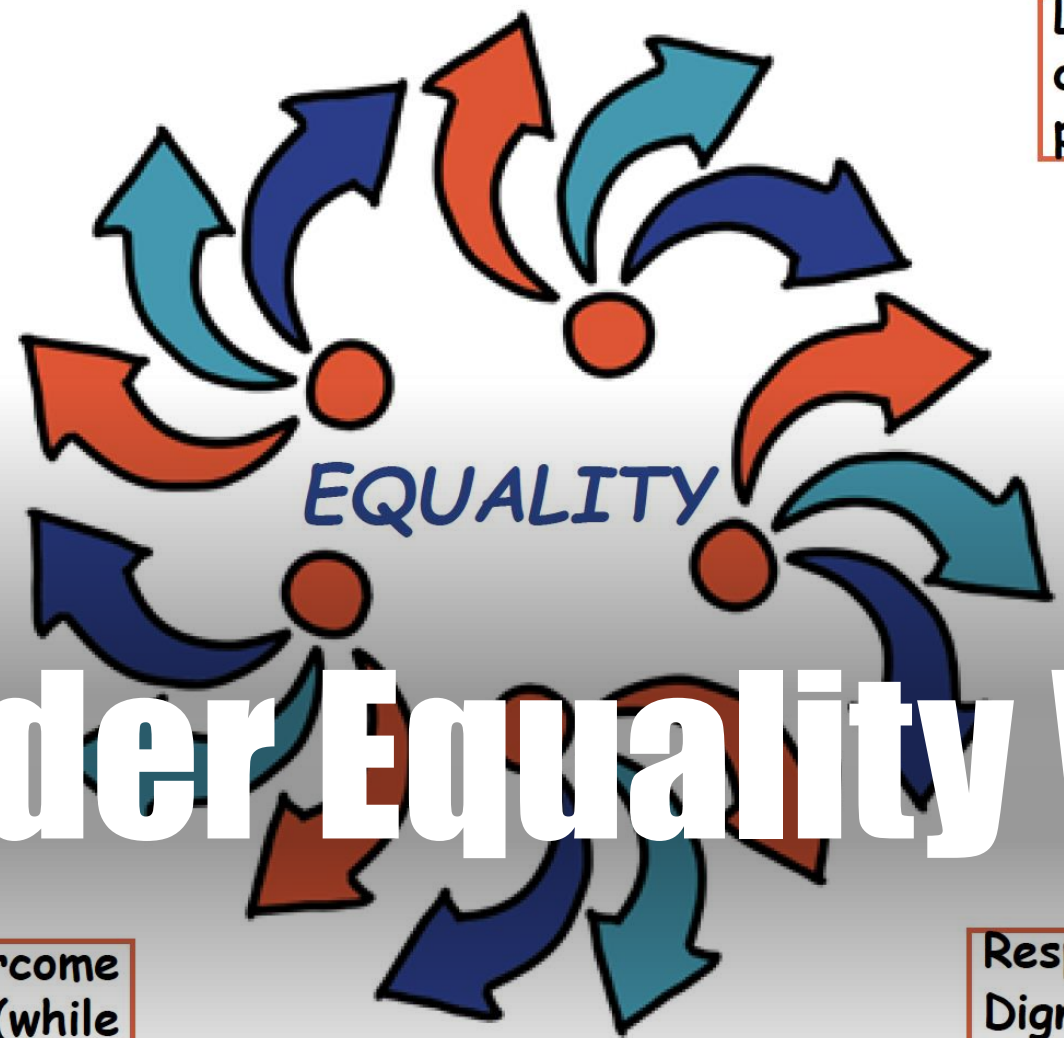
sexual orientation, religion, cultural practices, race/ethnicity.
Includes no harmful practices.

Global context

Equal education (to achieve full potential)

Men cannot abuse or dominate women/children as "heads of household"

Laws, police and courts offer same protection and penalties to all



Women's and Girls' Rights are Human Rights

Freedom and justice

Gender Equality Wheel

Equal responsibility for a fair

Everyone treated the same

Affirmative action to overcome discrimination of the past (while necessary)

Respect, Acceptance and Dignity for all

Disaggregated data to ensure

Workplace - offers equal opportunities to all with the same qualifications, in-

Reflections

- What can we do to increase gender inequality and justice in our ministry, congregations and church?