



ISSN Print: 2664-7281
ISSN Online: 2664-729X
Impact Factor: RJIF 8
IJSEPE 2023; 5(1): 50-52
www.sportsjournals.net
Received: 10-04-2023
Accepted: 15-05-2023

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Navigating legal challenges for women in Indian sports

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DOI: <https://doi.org/10.33545/26647281.2023.v5.i1a.57>

Abstract

Shall she halt her educational pursuits to embrace Hockey? Does her future lie in this sport? When do you envision arranging your daughter's marriage? Might she encounter mistreatment or harassment if she relocates to another city? How will we secure finances for supplements and training expenses? These are the commonplace interrogations hurled at women athletes or their parents by Indian society. Despite existing in the 21st century, a time marked by our ability to voyage into space, one critical aspect where our shortcomings glaringly persist is the perpetuation of gender discrimination between men and women. India's sex ratio stands as a stark testament to this reality. Particularly in India, women are still perceived through the lens of fragility, a mindset that significantly obstructs their progress, particularly within the realm of sports.

The author have purposefully selected this specific theme due to the prevailing challenges faced by Indian women. Even in contemporary times, these obstacles hinder women from reaching greater heights in their pursuit of athletic goals. This study meticulously delves into the constitutional and legal facets that, when effectively executed, can mitigate—ultimately eradicating—these issues from their very roots. Its primary aim is to elevate women athletes to an equal pedestal as their male counterparts. The study's conclusions encapsulate several recommendations aimed at achieving this balance.

Keywords: Challenges, discrimination, law, sports, women

Introduction

The world of women in sports is a dynamic and evolving landscape that has undergone significant transformations over recent decades. From battling stereotypes and societal expectations to achieving remarkable milestones, women have persistently defied barriers to make their mark in the sporting arena.

Despite historical challenges and prevailing gender biases, women have steadily carved out their niche across diverse sporting disciplines. The journey has been arduous, marked by struggles against inequality in resources, pay disparities, limited opportunities, and societal perceptions regarding women's physical capabilities. However, their resilience, determination, and undeniable talent have propelled them forward.

In contemporary times, women athletes stand as icons of inspiration, embodying strength, grace, and prowess. They have shattered records, claimed championships, and emerged as role models for future generations. The increased visibility of women in sports has not only showcased their athletic prowess but also highlighted the significance of gender equality and inclusivity within the sporting realm.

Empowering initiatives, inclusive policies, and advocacy efforts have played pivotal roles in breaking down barriers for women in sports. The rise of women's leagues, amplified media coverage, and enhanced sponsorships signify a shifting paradigm, emphasizing the importance of providing equal platforms and opportunities for women athletes.

Moreover, women in sports serve as catalysts for broader societal change, challenging norms, inspiring young girls to pursue their dreams, and reshaping perceptions about gender roles. They've become ambassadors of empowerment, using their platform to advocate for equality, social causes, and representation.

As the world progresses, the momentum for women in sports continues to build, fostering an environment where talent, skill, and dedication transcend gender boundaries. The ongoing journey aims not only to celebrate achievements but also to dismantle systemic barriers,

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fostering a future where women in sports are celebrated, supported, and given the respect and opportunities they rightfully deserve.

“The public needs to know that female athletics is just as important as male athletics. Without this understanding, the sports world will continue to justify the pay gap and other inequalities.”

– Marlee Burrige

Gender discrimination is rampant even today and is a deeprooted belief in our culture. Women, particularly in India, are still viewed as the “weaker sex,” and this mentality has continued to impact them in a big way, especially in the arena of sports. Women athletes are not really given the light of day unless they win big. Some people justify it by saying that women’s bodies are not really built for sports, or that they are not so much into sports anyway. However, the results speak for itself. Indian women athletes have shown exemplary results in various fields of sporting and have made us proud by exhibiting their talents by bringing home various laurels and titles. Their podium finishes have inspired the budding athletes all over the world. Athletes such as Saina Nehwal, Deepika Kumari, Manu Bhakar, Smriti Mandanna, M.C Mary Kom, Mira Bhai Chanu, Sania Mirza, P.T. Usha, Vinesh Phogat, and Manika Batra are undoubtedly our pride!

Challenges Faced by Women in Sports

The world of sports has historically been dominated by men, presenting numerous challenges for women athletes aiming to excel in their respective fields. Despite significant progress in recent years, women still encounter multifaceted challenges that hinder their advancement in sports.

Women in sports encounter multifaceted challenges that impede their progress and success. These challenges encompass unequal funding and resource allocation, prevalent gender biases and stereotypes influencing opportunities, limited access to high-profile events and media coverage, discrepancies in pay and sponsorship, underrepresentation in leadership roles, difficulties in balancing athletic careers with family responsibilities, and experiencing discrimination and harassment within sports environments.

Resolving these challenges requires concerted efforts from sports organizations, policymakers, sponsors, and society. Initiatives promoting gender equality in funding, challenging societal stereotypes, providing equal opportunities and recognition, promoting diversity in leadership positions, facilitating work-life balance, and creating safe and inclusive environments for women athletes are crucial steps toward achieving parity in sports.

- **Gender Bias and Stereotypes:** Deep-rooted gender biases and societal stereotypes continue to plague women in sports. These biases manifest in various forms, such as the perception that women are physically weaker or less capable in sports than men. These stereotypes can limit opportunities, affect funding, and result in unequal media coverage, impacting their recognition and support.
- **Limited Resources and Funding:** Women's sports often receive disproportionately lower financial support and investment compared to men's sports. This disparity extends to facilities, equipment, coaching, and development programs. The lack of adequate resources

impedes women athletes' training, skill development, and overall performance.

- **Unequal Pay and Sponsorship:** Discrepancies in pay and sponsorship deals between male and female athletes persist. Women athletes frequently earn less prize money and endorsement deals compared to their male counterparts, despite achieving similar or even greater success in their respective sports.
- **Underrepresentation in Media Coverage:** Media coverage plays a pivotal role in promoting athletes and their sports. However, women's sports receive far less coverage than men's sports. This underrepresentation affects exposure, recognition, and sponsorship opportunities for women athletes, contributing to a cycle of limited visibility and support.
- **Barriers in Leadership and Decision-Making Roles:** Women face challenges in attaining leadership positions and decision-making roles within sports organizations, governing bodies, and coaching staff. The lack of representation at these levels hinders their influence and ability to advocate for change and support within the sports industry.
- **Double Standards and Societal Expectations:** Women athletes often confront societal expectations that demand they conform to traditional gender roles, balancing sports careers with family responsibilities or societal expectations about appearance and behavior, which can add additional pressure and challenges to their careers.
- **Discrimination and Harassment:** Discrimination and harassment, including issues of sexism, objectification, and gender-based violence, can occur within sports environments. These instances not only impact athletes' well-being but also create barriers to their participation and progression in sports.

Addressing these challenges requires a concerted effort from various stakeholders, including sports organizations, policymakers, media, sponsors, and society as a whole. Initiatives promoting equal opportunities, increased funding, improved media coverage, breaking stereotypes, and fostering inclusive and supportive environments are essential steps toward leveling the playing field for women in sports. Empowering women athletes not only enhances sports but also contributes to societal progress by breaking down barriers and promoting gender equality in all spheres of life.

On the field, women athletes often confront objectification and endure instances of sexual harassment. Their worth is frequently gauged not by their athletic prowess but by their physical appearance, attractiveness, and perceived sex appeal. This plight is exemplified by Kaveri Prakash, a talented and driven female athlete in India, who faced considerable hurdles in her sporting journey due to financial constraints and encounters with sexual harassment.

The societal norms shaped by family, cultural, and religious backgrounds in India discourage women from pursuing sports, deeming it lacking in prospects and perpetuating stereotypical ideals of womanhood. Female athletes constantly face inquiries about their family plans, with pressure to retire early for marriage, impacting their athletic careers and future prospects.

Women athletes endure unequal pay and experience job insecurity, uncertain of their financial support once their

prime or sporting careers come to an end. The challenges of supporting their families post-retirement loom large for them.

The foremost barrier hindering women's active participation in sports is economic constraints. Limited sponsorship opportunities and financial hardships prevent them from competing actively in various sporting events. Additionally, women's sports receive markedly less media coverage compared to men's events, further impeding their visibility and recognition.

Women in Sports and the Indian Law

- Although India lacks specific sports-focused laws, the country's constitution ensures fundamental rights through Articles 14, 15, 16, and 21.
- The landmark case of *Vishaka v. State of Rajasthan* emphasized guidelines for addressing workplace sexual harassment.
- The National Policy for Empowerment of Women (2001) aims at fostering development, ensuring fundamental freedoms, equal access, eliminating discrimination, changing societal attitudes, and eradicating violence against women. India is a signatory to CEDAW, affirming equal rights for women in education, sports, and social and economic life.

Conclusion

Urgent and targeted legislative actions and policy formulations are essential to mandate women's participation in sports across all levels, especially educational institutions. These measures can effectively combat discrimination. A comprehensive approach encompassing prevention of sexual harassment and addressing health concerns should go beyond equality assurance and actively promote women's involvement in sports.

Suggestions

1. A "women-centric" approach is to be adopted. An atmosphere should be created where women feel physically and emotionally safe, which has freedom of expression which is not subdued by male dominance. Female coaches, trainers, and referee pool to be developed so that families feel secure to allow their daughters to be a part in National and International athletics meet and events.
2. Job security is one such issue which is to be addressed properly. Women must be recruited in important positions of authority in sports governing bodies to set examples.
3. Students and parents must be educated that the restrictions of physical attributes should not be made a barrier to women participating in sports and they must be actively encouraged to engage in sporting activities from the school level.
4. Guidelines of sexual harassment, as laid down in the *Vishaka* judgment and other laws to reduce gender discrimination, must be implemented effectively to fulfill the goals envisaged in the preamble of the constitution.

To conclude, we must ensure that nothing stands in their way, whether it is a handicap, motherhood, or failure. Success will always be ours if we persevere and push them

with all our might because the reward is not so great without the struggle.

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