

## THE GUISES OF GENDER IN MEDIA

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### Abstract

The misrepresentation of gender as roles which must be staged in the society is aggravated by the ubiquitous media. The perception of any act either supports or distorts the reality of one's thought. This paper attempts to turn the tables on the unsupervised power of media and the making of 'truth' that it promises to deliver. It connects the issue of gender and its societal framework with the portrayal of the same in media agencies.

*"Teach her that the idea of 'gender roles' is absolute nonsense. Do not ever tell her that she should or should not do something because she is a girl."*<sup>3</sup>

### Introduction

The relationship between media and society causes a conundrum since it is often bound by the binaries of various beliefs surrounding it. It is pertinent in the understanding of media that there is no right way of representation. However, a lot of speculation has been made on what is often called incorrect representation in media. Targeting the societal issues at most, the various stories surrounding any media report or advertisement often tend to change the meaning of what they intended at the first place. The omnipresence of media in our lives makes it indispensable to overlook their point of view. Media creates such an environment that no matter how hard one tries to defy, it stays in one's subconscious as people often fall prey to false theories, without even knowing if a question of authenticity existed in the first place.

The relationship between gender and media is one of the most crucial ones in enhancing our mindsets about what gender means. The binary in genders have now opened up to 'other' as a

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<sup>3</sup> Adichie, Chimamanda Ngozi. *Dear Ijeawele, or, A Feminist Manifesto in Fifteen Suggestions*. Vintage Canada, 2018.

category, allowing our opinions to widen. It is unlikely that the ‘others’ have come to existence all of a sudden, but this immediate realization and appropriation of ‘other’ poses necessary questions on how media portrays any gender. It certainly started with spreading awareness on gender being a ‘social norm’ and how it should not be confused with biological representation of a man or woman. Judith Butler<sup>4</sup> propagated the idea of how gender is a social construct which is mostly a performance given to each one of us by the cultural norms and hence this performance is what we have been defining as our ‘gender’. She said, “*When we say gender is performed, we usually mean that we've taken on a role or we're acting in some way and that our acting or our role playing is crucial to the gender that we are and the gender that we present to the world.*”<sup>5</sup>

The media in today’s world assumes the role of this aforementioned cultural barrier itself. In various ways that one explores the definitions of terms like heterosexual, homosexual or bisexual, the media has a significant part to play in forming these definitions which categorize sexes. Media provides meanings to the terms which contain any societal element. It has thus become the dictionary of society.

While analyzing the concept of gender, there needs to be a certain amount of fluidity which media should try to maintain. At the same time, ‘coming out’ of any person should neither be hyped nor discouraged. There is an undertone of awareness that gender is therefore subjective to each and every person. It also changes with time, since people in the present time ‘explore’ gender before finalizing on one. People heading from patriarchal family setups often take time in understanding the wide range a complicated term like ‘gender’ offers. It is important to recognize that having a different opinion is not same as opposing media or any institutions of power, which it is often perceived as today.

### **Gender Role as portrayed in advertisements**

Advertisements have depicted gender in unmistakable and unsurprising generalizations. Gender portrayal often reflects fundamental edifice of the social structure, for example, qualities, convictions, or standards. In spite of the fact that gender roles are getting refined and unlimited

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<sup>4</sup>Chambers, Clare. “Judith Butler, Gender Trouble.” *The Oxford Handbook of Classics in Contemporary Political Theory*, 2017

<sup>5</sup>Ibid

throughout the years, yet the sponsors regularly utilize gender conventionally in their ads, depending on the speculation that individuals are very much aware of the general way of the world, it encourages the recipients to comprehend the substance of the message undoubtedly.

Mostly, it has been observed that women (contrasted with men) seem more frequently domesticated and as housewives in TV advertisements, they are depicted for the most part as sex objects, commodified and subordinate to men. Being the customary housewife, mother and administrative laborer who might consummately and joyfully take care of family, when contrasted with men, were generally depicted in the home setting to augmenting the belief that the woman's place is at home.

Men in advertisements of various products are regularly presented in a position of command who have the final word, whereas women are somewhat situated as an object of the gaze. Traditionally, gender portrayal in advertisements features the belief system of the dynamic and rational male and the irrational, tamed female. As such, men typically appear strong, free achievers, while, women are depicted as sustaining, sympathetic, yet gentler and subordinate like in *The Yellow Wallpaper*,<sup>6</sup> the woman bears mental trauma all alone and it is left unrecognizable by her husband. The women more than often struggle to voice their opinions and are left with the options of 'An Attic' or 'The Wallpaper'.<sup>7</sup> Media's binary portrayal of men and women intensifies the social disparity of gender, almost sketching them as the 'Occident' and the 'Orient' respectively<sup>8</sup>.

Before today, the media in India have not attempted sufficient endeavors to talk about challenging issues concerning women. The common implication of depiction of women in media was reduced to fortification as opposed to diminishing biases and prejudices against women. Presently, the media has recognized its power as it can give meaning and importance to any aspect of society, be it women empowerment. However, this strength if left ungovernable can be perilous.

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<sup>6</sup>“Charlotte Perkins Gilman's 'The Yellow Wall-Paper'-The 'New Woman.'” *NEH*.

<sup>7</sup>Gezari, Janet. “Sandra M. Gilbert and Susan Gubar's *The Madwoman in the Attic*.” *Essays in Criticism*, vol. 56, no. 3, 2006, pp. 264–279

<sup>8</sup>Gordon, David C., and Edward Said. “Orientalism.” *The Antioch Review*, vol. 40, no. 1, 1982, p. 104.

**Gender Portrayal in Digital World**

Today, millennial generation is dependent on social media for almost everything- from news to dictionary. Social media is neither a friend nor a foe. From online challenges to life threatening games, media has multiple faces and it is what we extract from numerous meanings provided by media that shapes our thought process. The power of media is also liberating for many as it involves taking up any gender role. The social media today asks you to come forward and express it all out. It is thus easy to become anyone, for anyone. But when you flip the coin and observe, the power given to ‘anyone and everyone’ makes media a dangerous weapon. The technological era has the power to transform you into who you would want to be. In the chapter *Gender* of the book *How the world changed Social Media*<sup>9</sup>, the authors observe the “role of digital media in providing empowering tools, enabling both women and men freely to perform selves and identities that they chose for themselves online, escaping from the oppressive gender norms of the offline world.<sup>10</sup>” Bringing back the idea of gender being a social and cultural construct the chapter makes us realize that in the world of digital and social media, “gender could potentially become erased or irrelevant online<sup>11</sup>...”

Social media has become clay-like; one uses it to model into anything they can. It has the ability to form into any shape and any form and it can get remodeled as often as one wants. But with name comes responsibilities, and this is where the modeling of this clay has to undergo certain guidelines which might portray a stable character or mindset. When one becomes a celebrity, their social media is basically a pastime for many who follow them. They might even copy the celebrity and therefore the celebs are often held accountable for what they post and what they promote. Media have their own participation here. The unnoticeable aspects of any situation are often highlighted by the media. The viewers may or may not believe the cooked up stories but the idea itself leaves an impression in their minds. This impression is what affects their thought in future. From dressing up to having political beliefs, people find radical ideas attractive enough to follow. This does not have to be modern or what is influenced by the west always. It can also

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<sup>9</sup>Miller, Daniel, et al. *How the World Changed Social Media*. UCL Press, 2016.

<sup>10</sup> Ibid

<sup>11</sup> Ibid

be conservative. A recent news headline read, ‘Pak Teacher invited women to party, upset student stabbed him to death’ (NDTV<sup>12</sup>). It further said that the student felt that ‘involving women to party was un-Islamic’. The questions such headlines pose are- Who taught him what is Islamic and what is not? Was it the Quran? I will not over exaggerate the situation and say it was media, but has media any role to play in what happens in our daily lives? Yes. And this must be the case here too. The student or someone around him was definitely affected by media and what it propagates, because the Quran alone cannot put such an impact on the child’s mind so as to murder his teacher.

The media provide for the new weapons of self-representation in a way that one can undo their whole identity. It is rather impossible to know someone by following them on media, be it news or social media accounts. Do women feel safe portraying who they actually are? In *How the world changed Social Media*, the authors discuss situation in southeast Turkey<sup>13</sup> where people are conservative on social media due to the government restrictions and societal surveillance. The people in such countries feel more liberated offline rather than online. They cannot be anyone on social media. The power of social media to provide freedom does not function in such areas.

### **Evolution of Advertisements and their role**

Indian media have flourished across the country in the last few years. Media have gained so much importance that it has become necessary to look up at various news channels and reports before coming to a conclusion about any news. From Aarushi Talwar<sup>14</sup> to Nirbhaya<sup>15</sup>, the rise of media is so prominent that its reaches even the people who have been unaware about the current affairs.

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<sup>12</sup>Reuters. “Pak Teacher Invited Women To Party, Upset Student Stabbed Him To Death.” *NDTV.com*, 20 Mar. 2019,

<sup>13</sup> see footnote 5

<sup>14</sup>“Aarushi Murder Case: Supreme Court Admits Plea against Acquittal of Talwars.” *The Economic Times*, 19 Mar. 2018

<sup>15</sup>Supreme Court Confirms Death Sentence for Four Convicts in Nirbhaya Gang Rape Case.” *The Economic Times*, 6 May 2017

The advertisement media gained a perspective around 2000s when Indian Ads were still facing a backlash from the ones which followed the footsteps of the west. In the 1990's an ad which was filmed for coffee starring Arbaaz Khan and Malaika Arora and read as- "Real pleasure can't come in an instant<sup>16</sup>." Clearly, the sexual innuendos were evident and the ad got banned. There have been various controversies till date, which surround the issue of gender. The most recent ad of entertainment application Hotstar<sup>17</sup> depicts a woman sacrificing her favorite sitcom for her husband and in-laws. Later, she finds solace in using the app because she can use it any time. The question arises, why is it only her sacrificing for others? Do issues of hierarchical power still regulate in familial structures? Also, one cannot unseen that even in 2019; viewers are expected to associate with such an advertisement where the woman will only voice her opinions in her head. Similarly, many ads fail to catch the critical eye of the viewer and come out clean.

Late 1990's to early 2000s-

- Coca cola<sup>18</sup> ad promoted "Coca-Cola ho Jaye" with Aamir Khan and Aishwarya Rai falling in love because of their common interest in the soft drink. The idea of romance is the most common theme in the advertisement industry, one of the benefits of it being a safe play from the critical eye.
- Bajaj auto Sunny zip<sup>19</sup>- A boy taught a girl how to drive the scooter which she learnt easily and when another man asked her for the lift, she offered him and left with the second man. The catch line read as "Easy come, easy go." A critic of present date can easily see beneath the ad which clearly shows the disloyalty of a woman as soon as she 'drove' her way outside the conventional world.
- Cadbury Temptations 2002<sup>20</sup>- The Newspaper Ad read as "'I'm good. I'm tempting. I'm too good to share. What am I? Cadbury's Temptations or Kashmir?'" This tagline written over the map of Jammu Kashmir angered various political leaders. It highlighted how

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<sup>16</sup>"The Arbaaz-Malaika Love Affair." *Rediff*, 29 Mar. 2016

<sup>17</sup>Ad, Hotstar. "Watch Your Favourite TV Shows on Hotstar." *YouTube*, YouTube, 25 Feb. 2019,

<sup>18</sup>PC, Amit. "Coke Ad Aishwarya Rai and Aamir Khan." *YouTube*, YouTube, 9 July 2016,

<sup>19</sup>ContractAds. "Bajaj Sunny Zip.mpg." *YouTube*, YouTube, 10 July 2010,

<sup>20</sup>Cozens, Claire. "Cadbury's Ad Upsets India." *The Guardian*, Guardian News and Media, 20 Aug. 2002

media cannot function freely and sometimes what is most appealing or eye catchy can also influence one's belief in a different manner...

Post early 2000s to present-

- Sprite's "Seedhi Baat No Bakwaas, Clear Hai"<sup>21</sup> - where a boy explained to his girl that he had to rush as he had another date, and met the second girl later telling her that he was with other girl before her. The ad symbolizes how cheating or double dating is justifiable because he is not wrong on his part, he is just being 'clear'. Such ads shadow the fact that miscommunication is still cheating on someone. The women are portrayed silly, unable to comprehend the reality of the situation.
- Docomo<sup>22</sup>- Power Recharges- A young male whistled on the bus stop staring at the two school girls. Another girl sitting beside the girls started screaming as soon as he whistled, making him run away. It read as 'Make yourself heard'. This ad is spreading awareness in a dubious manner. It shows how important it is for women to be courageous enough and at the same time it is only when they literally scream that people are going to hear them out.
- Virgin Mobile<sup>23</sup>- 'Think Hatke"-- A middle-aged man checked out a woman in a lift and later explained her figure to his boss quoting 'Biodata mast hai' who comes out to be the girl's father. The ad promoted cheaper tariff rates so that one could talk for longer hours. Such ads always have a mixed reaction, like the deo and perfume ads. The sexual connotation can always go two ways. It mainly depends upon the viewer but there is no stating the fact that such ads become the reason for generalizing and promoting sexual harassment or vulgarity.
- Dollar Big Boss<sup>24</sup>- "Fit Hai Boss"-- The two prominent ads starring Akshay Kumar had him beating up the villain who challenged him and the similarity between both is that

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<sup>21</sup>orientadvertising. "Sprite (SeedhiBaat, No Bakwaas)." *YouTube*, YouTube, 23 Apr. 2008,

<sup>22</sup>Joopia. "#Sabasaudagar Tata Docomo New Ad 2014 Bus Stop." *YouTube*, YouTube, 15 July 2014,

<sup>23</sup>TV, Assorted. "Virgin Mobile Ad - Elevator." *YouTube*, YouTube, 18 Jan. 2015

<sup>24</sup>Masti, ATM - All Type. "DOLLAR BIG BOSS || New Ad || AKSHAY KUMAR." *YouTube*, YouTube, 24 Mar. 2018.

Akshay tended to hit them on their genital area in particular.<sup>25</sup> Is masculinity supposed to mean prowess over another? And is this power denoted by one's physical strength? What kind of physical strength is portrayed by hitting someone's genitals? The ad, when deconstructed is disturbing for male viewers as it demands certain performative roles from them. One fails to understand what is 'fit' in the ad.

- Amul Macho<sup>26</sup>- "Yeh To Bada Toing Hai" - The ad portrayed actress Sana Khan washing male underwear while other women stared at it sensually. The ad basically represents the underwear as a phallus<sup>27</sup> itself, showing other latent imageries of sex. For instance when Sana was rubbing and beating the underwear hinting at acts of sexual intercourse.
- FastTrack<sup>28</sup>- "Don't stare at my T\_\_S" - The ad showcased various women slapping young men as they stared at their bust. It later questioned on the screen- T\_\_S on your mind? The ad brings forth the idea of breasts (referred to as 'tits' informally) to sell t-shirts or 'tees'.

Sex selling advertisements focus on sexual attraction as an integral element which helps sell their product with the hidden double meanings. Akshay Kumar's Levi's<sup>29</sup> controversy became famous because his wife unbuttoned his jeans during his ramp walk on the Lakme Fashion Week. For media is used to selling sex and sexual symbols, it was unforeseeable by Akshay to have known that he will land up creating a legal offense.

- Snickers<sup>30</sup>- "Hunger ache achon ko badal deta hai"- The male friend of the group transformed into actress Sonam Kapoor and could not push the car anymore. The actor said that the friend "becomes a heroine when he is hungry" promoting the stereotype that a heroine has a fixed characteristic of not being able to do a work which requires

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<sup>25</sup>Global, Dollar. "Dollar Bigboss New TVC 2016." *YouTube*, YouTube, 21 Apr. 2016.

<sup>26</sup>Ads, Super. "Yeh To Bada Toing Hai - Amul Macho Sensual Ad." *YouTube*, YouTube, 10 May 2017.

<sup>27</sup>Brome, Vincent. *Ernest Jones: Freuds Alter Ego*. Caliban Books, 1982.

<sup>28</sup>XLRI, Maxi. "Fastrack: Don't Stare at My T\*\*S : Slap." *YouTube*, YouTube, 13 Mar. 2012.

<sup>29</sup>PTI. "Prosecute Akshay Kumar, Twinkle in Obscenity Case: HC to Cops." *India Today*, 29 July 2013.

<sup>30</sup>India, Snickers. "Snickers TVC." *YouTube*, YouTube, 26 Nov. 2014.

manpower. The ad portrays how being a male is ‘good’ (acha in hindi) and ‘change’ is becoming a woman who is due to her gender, physically weak and hysterical, one who is unable to control her emotions.

- V-Guard Inverters<sup>31</sup>- The ad staged a setting of wedding night with a lot sexual imagery of the bride’s physique. Later, after a lot of staring and commodification of the bride as a sex object, when the groom jumped up on her, he rather landed on the bed’s corner due to the power cut, damaging his ability to become a father. This is another example of how a simple item like an inverter can use extreme measures to advertise its products, selling sex for promotion.
- An Idea<sup>32</sup> ad followed similar path to promote internet plans by decreasing overpopulation which, according to them, was a cause of sexual intercourse that people have during low power or internet.
- Fair n Lovely<sup>33</sup> vs Fair n Handsome<sup>34</sup>- While Fair n Lovely ads stressed on women wanting to become models but could not because of their ‘not-fair or dull’ complexion, Fair n Handsome showed a male model applying a cream from ‘pink tube’ when the song from Don movie changed to “Pari hoon main”. The ad saw Shahrukh Khan saying- “Mardon ki sakht twacha ke liye pink fairness cream nahi bani hai” and later claimed that the cream provided “Gazab ka gorapan.” The ultimate requirement of fairness in order to become successful and wanted by opposite sex draws attentions of viewers who face low self-esteem and are usually ashamed of their appearance or complexion. These ad films affect the viewers’ sentiments to promote their product. It is basically a selling strategy, which both invades and reflects people’s internal thought process. It is only when this internalization happens that people will trust their product to buy it.

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<sup>31</sup>Singh, Amitha. “V-Guard TVC - Inverter/UPS - Fun!” *YouTube*, YouTube, 9 Jan. 2012.

<sup>32</sup>celeburbia. “Idea 3G Funny Ad Campaign - India Over Population - Abhishek Bachchan Sir Ji Ad Series.” *YouTube*, YouTube, 23 July 2011.

<sup>33</sup>Thatsmyscript. “Bidita Bag in FAIR & LOVELY.” *YouTube*, YouTube, 26 May 2010.

<sup>34</sup>Handsome, Fair and. “Fair and Handsome - World's No.1 Fairness Cream for Men - Full Commercial.” *YouTube*, YouTube, 25 Apr. 2018.

- Tanishq<sup>35</sup> caught various eyes with an ad that had a bride marrying for the second time. The groom was supportive of the daughter from the first marriage of the bride as he allowed her to take pheras with them. These ads help in breaking the taboos surrounding second marriage of women in India.
- Titan Raga<sup>36</sup> promoted “Her life Her choice” in an ad with Nimrat Kaur, where she met her ex who was adamant on the fact that being a “man” he had to work and she should have had compromised in the relationship. One can see that the stress on ‘women empowerment’ is strong and now women empowerment is selling for media, just like sex.
- Another jewelry ad gained attention for its posters behind buses in Mumbai. It read as- “I did not choose my husband, but I can choose my jewelry.”<sup>37</sup> It shows how woman in the 21<sup>st</sup> century can only choose objects of decorating herself i.e. jewelry, and not her life partner. The ad is selling the situation of woman to promote jewelry, propagating a façade of freedom of choice as she will have no freedom in those jewels. All they do is appropriate her status of a married woman.

In the past 5 to 7 years, India has become engagingly aware about the plight of women in the country. The media is slyly addressing the contemporary social issues in their advertisements and documentaries in order to become well received. Patricia A. Made<sup>38</sup> in *Globalisation and Gender Training for the Media: Challenges and Lessons Learned* pointed out that “in addition to their role in promoting positive images of women and educating the public on gender equality, the media also have a social responsibility to self- regulate in order to avoid indecent, degrading, or exploitative depictions of women.” Like the ads, the news media, social media, also await for the ‘unheard voice’ to come forward. Margaret Gallagher<sup>39</sup> believes that 'with the globalization of markets, economic affairs are becoming more and more detached from social concerns. As multi- media conglomerates increasingly gain control of world information and communication

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<sup>35</sup>Tanishq Jewellery. “Tanishq Wedding Film (2013).” *YouTube*, YouTube, 24 Oct. 2013.

<sup>36</sup>Watches, Titan. “The Raga Woman Of Today #HerLifeHerChoices.” *YouTube*, YouTube, 10 Dec. 2014

<sup>37</sup>“How a Jewellery Ad Sparked Debates on Misogyny.” *DNA India*, 18 Aug. 2014

<sup>38</sup>Made, Patricia A. “Globalisation and Gender Training for the Media: Challenges and Lessons Learned.” *Gender & Development*, vol. 8, no. 1, 2000, pp. 29–34

<sup>39</sup> *Ibid*

markets, public authorities are less and less able to impose or maintain controls - to the detriment of the most vulnerable groups in society.’ Indian media are known to be opportunist — as in the case of Triple Talaq<sup>40</sup> bill, they became the flag bearers of women’s rights because they were aware of what viewers desired the most on their screen and newspapers. Similarly, Article 377<sup>41</sup> was popularized in the name of LGBT support, camouflaging with the TRP it produced in the garb of spreading awareness. Therefore, the immediate advocacy of minority groups is at many times a facade with an aim of being a sellout.

The term ‘missing white woman syndrome’<sup>42</sup> is coined by socialists as hyped coverage by media of a young, missing white female who usually belonged to an upper class. This phrase shows the focus of western media on upper class and women as compared to men and lower caste people. Sarah Stillman<sup>43</sup> called out the phenomenon for “typically involving round-the-clock coverage of disappeared young females who qualify as 'damsels in distress' by race, class, and other relevant social variables.” ad

### **Recent Developments**

In August 2018<sup>44</sup>, Oxfam India's Gender Justice Program teamed up with AJK Mass Communication Research Center in Jamia Millia Islamia University, Delhi to present an elective course 'Gender and Media' to teach gender ideas and focal point in media through speculations, dialogs, film screenings and field visits. The course would enable understudies to build up a downplaying of various ideas of gender, portrayal of women, and other non-acclimating gender characters in media, existing media generalizations, and conceivable functional utilizations of a gender-sensitive methodology. The course intends to step by step enlighten with the sensitization of the instances of brutality against women through strategy and practices. The program at the

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<sup>40</sup>ShayaraBano v. Union of India, 2017 SCC OnLine SC 963

<sup>41</sup> The Constitution of India, 1950

<sup>42</sup>Stillman, Sarah. “‘The Missing White Girl Syndrome’: Disappeared Women and Media Activism.” *Gender & Development*, vol. 15, no. 3, 2007, pp. 491–502

<sup>43</sup> Ibid

<sup>44</sup>“Oxfam India's Gender Justice Program Teamed up with AJK Mass Communication Research Center in Jamia Millia Islamia University.”*Jamia - Centres - A.J.K. Mass Communication Research Centre - Introduction*

same time is coursing towards the direction of change in social convictions and frameworks that instigate violence against women.

### **Laws regulating Gender Portrayal in India**

#### **The Indecent Representation of Women (Prohibition) Act, 1986**

It rebuffs the disgusting portrayal of women, which means the delineation in any manner of the figure of a woman; her body or any part thereof in such route as to have the impact of being obscene, or disparaging to, or belittling women, or is probably going to debase, degenerate or harm the open profound quality or ethics. It expresses that no individual will distribute or cause to distribute or cause to be distributed or organize to participate in the production or presentation of any advertisement which contains a profane portrayal of women in any structure.

The government with a goal to reinforce the lawful apparatus ensuring the dignity of women endorsed amendments to the Indecent Representation of Women (Prohibition) Act, 1986 in 2012. The motive was to incorporate new innovations like MMS and the electronic media and some which were left outside the ambit of the Act like notices and TV serials which propagate generalizations of women. Advancing a dignified and non-stereotypical depiction of women in the media is crucial to exhibit it continuously in order to keep away from the evil impacts of media.

#### **Indian Penal Code, 1860**

Section 292 of the Indian Penal Code, 1860 prevents the sale of profane books, flyers, and other portrayals which will be deemed scurrilous. The expansion in the investment and access of women to self-articulation and primary leadership through the media and new advancements of correspondence is a way of enabling them. The incredible and constructive job that the media can play in the empowerment of women and gender equity ought to be bolstered and further investigated.

**International Analysis****The UK Media Law**

In the UK, two Acts control the media and communications, one of which makes the administrative body entrusted with observing the substance of projects and advertisements. The Office of Communications Act, 2002 formed the Office of Communications (OFCOM) as an administrative body. The Communications Act, 2003 provides the power and elements of OFCOM.<sup>45</sup> Section 319(1) of that Act obligates OFCOM to set, and survey every once in a while, the measures for the substance of projects on television and radio.<sup>46</sup> Section 319(2) (h) of the Act identifies with the target of keeping “the inclusion of advertising which may be misleading, harmful or offensive in television and radio services”. Section 319(2) (i) gives another goal regarding consent to the UK's universal commitments with respect to advertising.<sup>47</sup> Section 319(4) records the variables that OFCOM must consider in setting and updating the gauges, which incorporates “(a) the degree of harm or offence likely to be caused by the inclusion of any particular sort of material in programs generally, or in programs of a particular description”. The benchmarks may incorporate arrangement denying advertisements and structures and techniques for publicizing or sponsorship (both by and large and specific conditions). The Audiovisual Media Services Regulations, 2009 likewise manages promotion.

**The United States of America Non-discrimination Law**

There is no law in the US that unequivocally precludes all types of separation on-screen characters in the public eye. At the government level, the US Constitution and enactment brings forth equivalent treatment and non-segregation in explicit pieces of day to day existence. The US Constitution in its Fourteenth Amendment expressly perceives a resident's entitlement to equality before law and fair treatment.<sup>48</sup> With regards to promoting, nonetheless, guidelines of possibly

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<sup>45</sup>The Communications Act 2003, part 1 (UK, 2003)

<sup>46</sup>The Communications Act 2003, section 319(1) (UK, 2003)

<sup>47</sup>The Communications Act 2003, section 319(2)(i) (UK, 2003)

<sup>48</sup>U.S. CONST. 14th Amendment (1868)

unfair material is outlined by the Constitution's First Amendment ensuring free speech,<sup>49</sup> the US Supreme Court has discovered that disagreeableness, for instance, generally couldn't legitimize concealment of free (counting business) speech.<sup>50</sup> Also, the standard of legal survey concerning gender-based segregation is less strict contrasted with different types of separation, for example, race. In this type of case, the Supreme Court utilizes a strict scrutiny test.<sup>51</sup> This is not quite the same as situations where gender related qualifications are under survey: in such cases the Supreme Court utilizes an intermediate investigation test.<sup>52</sup>

## **AROUND THE GLOBE**

### **I. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**

CEDAW was established in 1979. It denounces all types of oppression against women. Gender stereotyping is viewed as an impediment to gender equality and comprises a type of segregation as per the convention.<sup>53</sup> CEDAW demands expansive commitments for the states who are parties to the convention. While sanctioning the tradition, the states' consent to seek after – by every single proper means and an immediate arrangement of dispensing with victimization of women, including gender stereotyping. States concur, in addition to other things, to receive proper administrative and special measures – including sanctions where suitable – to deny all oppression of women and to abstain from taking part in any demonstration or routine with regards to victimization of women. The states additionally consent to guarantee that open experts and foundations will act in similarity with this commitment, to take every single fitting measure to wipe out oppression of women by any individual, association, or endeavor, and to take every

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<sup>49</sup>U.S. CONST. 1st Amendment (1791)

<sup>50</sup>Bolger v. Youngs Drug Products Corp., 463 U.S. 60, 71 (U.S. 1983)

<sup>51</sup>Gayle Lynn Pettinga, Rational Basis With Bite: Intermediate Scrutiny by Any Other Name 62(3) INDIANA LAW JOURNAL 779, 781 (1987)

<sup>52</sup>Gayle Lynn Pettinga, Rational Basis With Bite: Intermediate Scrutiny by Any Other Name 62(3) INDIANA LAW JOURNAL 779, 784 (1987)

<sup>53</sup>Article 5(a) The Convention on the Elimination of All forms of Discrimination Against Women.

single suitable measure, including enactment, to adjust or annul existing laws, guidelines, traditions, and practices that establish victimization of women.<sup>54</sup>

## **II. The Beijing Declaration and Platform for Action**

The Beijing Declaration and Platform for Action were embraced at the Fourth World Conference on Women held in Beijing in 1995.<sup>55</sup> At the Beijing meeting, the theme of women and the media turned into an extraordinary segment of the stage for an activity. It had two-overlapping focuses: to help women in standing on their own feet (J.1), and to display and advance an apt and unconventional depiction in the media (J.2).<sup>56</sup> When it comes to sex generalizations in the media, the announcements in the Platform for Action appears to be very moderate. The mindful plan of the second measure (J.2) "to advance" depended upon a supposition affirmed by the Western world, particularly the USA and the EU, that lawful denials of gender stereotyping were a danger against opportunity of expression. Self-guideline dependent on private implicit rules was favored before legislation. In the 2009/2010 development, this idea was communicated by expressing that media in giving an increasingly adjusted and reasonable depiction of women can aid in the future growth of women.

## **III. Europe's stance on women**

The ideological establishment of the European Union is communicated in the Treaty of European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU). Among the qualities and the rights in these arrangements is the idea of uniformity among women and men (Article 2 TEU). In characterizing and executing its strategies and exercises, the European Union intends to battle separatism (Article 10 TFEU) and to make suitable move to fight against segregation (Article 19 TFEU) in the light of sex, racial or ethnic inception, religion or

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<sup>54</sup>Article 2 of The Convention on the Elimination of All Forms of Discrimination Against Women.

<sup>55</sup>Web, <http://www.un.org/womenwatch/daw/beijing/platform/>

<sup>56</sup>UN Beijing Declaration and Platform for Action. The Fourth World Conference on Women, paragraph 234–245

conviction, inability, age, or sexual preference. As per these arrangements, gender non-stereotyping and un-prejudice in the media have been tended to in various routes in the European setting, both as the subject of enactment and through other political estimates such as industry's responsibilities to wipe out sex generalizations. Beside open measures, there are a few self-administrative industry instruments concerning promotion and advertising. The International Chamber of Commerce (ICC) – a worldwide business association – has given direction on promoting and publicizing in the publication entitled Advertising and Marketing Communication Practice.<sup>57</sup> The motivation behind this archive is to fill in as an instrument of self-regulation to accomplish duty and function in publicizing and promoting marketing, and to limit the requirement for step by step administration and additionally between legislative enactment and guidelines. Another reason, as indicated by the ICC, is to defend the right to speak freely of those occupied with marketing correspondence. Showcasing interchanges should, as indicated by Article 4<sup>58</sup> on social obligation, regard human pride and ought not actuate or approve any type of separatism, including those dependent on race, national starting point, religion, sex, age, inability, or sexual introduction.

### **Epilogue**

With the innovation of new correspondent improvements, the intensity of mass communications has developed in stature. Media shapes our observations and perspectives on social reality by introducing just a few parts of the real world and by continued reiteration of pictures and messages. We can say that the job and substance of media has changed drastically, assuming unequivocal job in fortifying gender generalizations and man centric culture by building new pictures and implications by setting plans for popular supposition through particular topics and perspectives. Be that as it may, ancient stereotypes based on one's sex have reformed by taking new shapes. Then again, dynamic talk on women's issues are frequently co-selected and re-developed in the predominant press to build the authority of prevailing social classes.

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<sup>57</sup>The International Chamber of Commerce (ICC) Code of conduct, 2011.

<sup>58</sup>Treaty of European Union

Consequently, the undertaking of changing media pictures of women has turned out to be more in order to advertise economy.

In a democratic culture, we need to provide all castes and religion equal status. Gender Discrimination is omnipresent. The Constitution<sup>59</sup> attempted numerous provisions against sex segregation. Media should assume a fundamental job to uncover genuine circumstances in denying badgering, assault, home viciousness, and sex based practices and so on by making mindfulness among society. Media are a reflection of society and media reports generally reflect happenings of the general public. Media are halfway put to shape social orders discernment, thoughts, frames of mind and conduct.

*“All nations have their own traditions, and gender stereotypes are part of it. But it is good to remember that they are made by people and can be reformed by people.”*<sup>60</sup> - Tarja Halonen, Former President of the Republic of Finland

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<sup>59</sup> The Constitution of India, 1950

<sup>60</sup>“Combating Gender Stereotyping and Sexism in the Media.” *Council of Europe Publishing*