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**Dr. Dattatray Damodhar Karangale**  
Associate Professor,  
Department of Physical  
Education, Indira Gandhi  
Sharirik Shikshan  
Mahavidhyalaya, Hanuman  
Nagar, Nagpur, Maharashtra,  
India

## Empowering women athletes: The legal landscape of sports in India

**Dr. Dattatray Damodhar Karangale**

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### Abstract

Even as we hurtle towards the stars with cutting-edge technology, a stark reality persists on Earth: gender disparity. In India, this manifests acutely in the realm of sports, where aspiring female athletes face a barrage of societal pressures. Questions like, "Will she abandon her studies for Kabaddi?" or "When is marriage on the horizon?" are weaponized against their dreams. The specter of harassment in a new city and financial constraints for training further fuel these anxieties. These are not just questions for the aspiring athlete, but barbs aimed directly at parents who dare to support their daughters' ambitions.

The very notion of a "weaker sex" clings stubbornly to Indian society, reflected in the skewed sex ratio itself. This outdated mentality acts as a formidable wall against women's progress, particularly in sports. This research delves into the challenges faced by Indian women athletes, highlighting the roadblocks that hinder their pursuit of excellence.

The study goes beyond simply identifying the problems. It delves into the legal framework - the constitution and other laws - and proposes their effective implementation. The goal? To dismantle these entrenched biases at the grassroots level, paving the way for a future where women athletes stand shoulder-to-shoulder with their male counterparts. The research culminates in concrete suggestions for creating a more equitable playing field.

**Keywords:** Challenges, discrimination, law, sports, women

### Introduction

Women's participation in sports in India has undergone significant transformation over the years, evolving from a marginalized sector to one that is gradually gaining recognition and support. Historically, societal norms and cultural perceptions have often hindered women from actively engaging in sports, relegating them to the sidelines or limiting their participation to traditionally accepted activities. However, in recent times, there has been a notable shift in attitudes, with increasing emphasis placed on gender equality and the empowerment of women in all spheres, including sports.

Despite the progress made, women in sports still face numerous challenges in India. One of the primary obstacles is the lack of adequate infrastructure and resources dedicated to women's sports.

Many sports facilities, training centers, and coaching programs are often geared towards male athletes, leaving female athletes with limited access to training facilities and support systems. This disparity in resources not only hampers the development of female athletes but also perpetuates the gender gap in sports.

Additionally, cultural stereotypes and societal expectations continue to influence perceptions of women in sports. There is often a prevailing notion that sports are not suitable for women or that female athletes should prioritize domestic responsibilities over their athletic pursuits. This mindset can deter women from pursuing careers in sports and discourage them from participating at competitive levels.

Furthermore, issues such as lack of financial support, sponsorship opportunities, and media coverage further exacerbate the challenges faced by women in Indian sports. Without adequate funding and exposure, female athletes struggle to gain recognition and support, hindering their ability to excel in their chosen fields.

Despite these challenges, there have been notable success stories of Indian women athletes who have defied the odds and achieved remarkable feats in various sports.

**Corresponding Author:**  
**Dr. Dattatray Damodhar Karangale**  
Associate Professor,  
Department of Physical  
Education, Indira Gandhi  
Sharirik Shikshan  
Mahavidhyalaya, Hanuman  
Nagar, Nagpur, Maharashtra,  
India

From iconic figures like P.T. Usha in athletics to contemporary stars like Saina Nehwal in badminton and Mary Kom in boxing, Indian women athletes have made significant contributions to the country's sporting landscape and have inspired future generations of female athletes.

To address the challenges faced by women in sports, concerted efforts are needed to promote gender inclusivity and create a conducive environment for female athletes to thrive. This includes investing in infrastructure for women's sports, providing equal opportunities for training and competition, challenging gender stereotypes, and fostering greater representation of women in sports administration and leadership roles.

Overall, the journey of women in sports in India is a testament to resilience, determination, and the transformative power of sports in breaking down barriers and empowering individuals, regardless of gender. With continued support and advocacy, Indian women athletes have the potential to achieve even greater heights and inspire future generations to follow their dreams in sports.

"The imperative for public awareness regarding the parity of significance between female and male athletics cannot be overstated. Without this fundamental recognition, the perpetuation of the gender disparities prevalent within the realm of sports, including the pervasive issue of unequal compensation, remains unchecked," remarked Marlee Burridge, a prominent advocate for gender equality in sports.

Gender discrimination persists unabated, ingrained deeply within the fabric of our society. Particularly in India, women are often relegated to the status of the "weaker sex," a stereotype that continues to cast a long shadow over their participation in sports. Despite strides towards gender equality, the pervasive belief in the physical inferiority of women and their perceived disinterest in sports perpetuates systemic inequalities within the athletic arena.

The notion that women are inherently unsuited for sports or lack a genuine passion for athletic pursuits is a fallacy debunked by the undeniable achievements of female athletes. Indian women athletes have defied societal expectations, showcasing unparalleled talent and determination on the global stage. From the cricket pitch to the badminton court, from the archery range to the boxing ring, they have consistently proven their mettle, securing prestigious titles and accolades that have brought honor to the nation.

Icons such as Saina Nehwal, Deepika Kumari, Manu Bhakar, Smriti Mandanna, M.C Mary Kom, Mirabai Chanu, Sania Mirza, P.T. Usha, Vinesh Phogat, and Manika Batra stand as living embodiments of excellence, inspiring generations of aspiring athletes across the globe. Their remarkable achievements serve as a testament to the unwavering resolve and boundless potential of women in sports, shattering stereotypes and paving the way for a more inclusive and equitable athletic landscape.

In essence, the recognition and celebration of female athletes' accomplishments are not only a matter of pride but also a clarion call for the dismantling of gender-based prejudices and the promotion of equality in all facets of sports. Only through collective awareness and advocacy can we strive towards a future where the talents and contributions of female athletes are valued and respected on par with their male counterparts.

## Breaking Through Barriers: Challenges Faced By Women in Sports

Despite significant strides towards gender equality, women in sports still navigate a landscape riddled with challenges. These obstacles can be broadly categorized into societal pressures, lack of resources and infrastructure, and discriminatory practices.

### Societal Pressures

- **Gender Stereotypes:** The deeply ingrained notion of sports as a "man's domain" discourages girls from pursuing athletic careers. Societal expectations often prioritize marriage and childcare over athletic ambitions, creating a conflict for aspiring female athletes.
- **Family Pressures:** Families may discourage daughters from pursuing sports due to concerns about safety, neglecting education, or social disapproval. Questions about marriage prospects or the potential for physical harm can act as deterrents.
- **Lack of Role Models:** The relative absence of prominent female athletes in certain sports can make it difficult for young girls to envision themselves achieving similar success. This lack of representation can stifle dreams before they take root.

### Lack of Resources and Infrastructure

- **Inadequate Funding:** Compared to men's sports, female athletics often receive significantly less funding. This disparity impacts training facilities, equipment, coaching, and overall support systems, hindering performance and development.
- **Limited Training Facilities:** The availability of dedicated training facilities specifically for women's sports can be scarce, forcing them to share facilities or train in suboptimal conditions.
- **Unequal Access to Coaching and Expertise:** The pool of qualified female coaches remains smaller compared to their male counterparts. This limits access to specialized training and mentorship tailored to the unique needs of female athletes.

### Discriminatory Practices

- **Sexual Harassment:** Female athletes in certain environments are more vulnerable to harassment and abuse by coaches, trainers, or even fellow athletes. The fear of such experiences can create a hostile environment and discourage participation.
- **Pay Disparity:** In professional sports, women athletes often earn significantly less than their male counterparts, despite comparable levels of dedication and achievement. This wage gap reinforces a sense of undervaluing female athletic talent.
- **Media Bias:** Media coverage of women's sports is often limited compared to men's sports. This lack of exposure reduces sponsorships, endorsement opportunities, and overall fan engagement, hindering the growth of women's athletics.

### The Way Forward

These challenges are not insurmountable. By.

- **Promoting Gender Equality:** Combatting stereotypes and fostering a culture that celebrates female

athleticism from a young age is crucial.

- **Increasing Funding and Resources:** Investing in dedicated facilities, qualified female coaches, and equitable funding for women's sports is essential.
- **Enforcing Safeguarding Measures:** Implementing and enforcing strong policies to prevent harassment and abuse creates a safer environment for women to participate and excel.
- **Highlighting Role Models:** Amplifying the achievements of female athletes and increasing media coverage can inspire future generations.
- **Empowering Families:** Educational campaigns can address family concerns and encourage support for daughters' athletic aspirations.

By dismantling these barriers and creating a more supportive environment, we can unlock the immense potential of women in sports. This will not only contribute to a more equitable society but also enrich the world of athletics with the talent, dedication, and unique perspectives that women bring to the game.

### **Navigating a Hostile Landscape: The challenges faced by Indian women athletes**

The road to athletic glory is often paved with hardship, and for Indian women athletes, the journey presents a unique set of obstacles. Here, we delve into the complex tapestry of challenges they face.

#### **1. The Gaze beyond the Game: Objectification and Harassment**

For many female athletes, the playing field becomes a double-edged sword. While they strive for excellence with grit and determination, their value is often judged through a distorted lens. Their bodies, attractiveness, and sex appeal become factors in their perceived worth, overshadowing their athletic prowess. This objectification creates a hostile environment where sexual harassment can be a chilling reality. Kaveri Prakash, a talented young athlete, embodies the struggles many face. Her story highlights the harsh intersection of financial limitations and the constant threat of harassment that can derail promising careers.

#### **2. Societal Pressures: Stifling Aspiration at Its Root**

Indian society, steeped in its cultural and religious tapestry, often presents a formidable barrier. Families may discourage daughters from pursuing sports, citing concerns about their "future" or adhering to stereotypical notions of an "ideal woman." These include the expectation to prioritize marriage and child-rearing over athletic ambitions. The constant barrage of questions about a woman's "marital timeline" or the pressure to retire for marriage creates a suffocating atmosphere that stifles dreams before they can take flight.

#### **3. The Unequal Playing Field: Pay Disparity and Job Security**

Financial insecurity casts a long shadow on the already challenging path of a female athlete. They face significant pay disparity compared to their male counterparts despite their dedication and achievements. This wage gap reinforces a disheartening reality - their talent is simply not valued at an equal level. Additionally, the lack of job security after

retirement creates a gnawing uncertainty about their future financial well-being.

#### **4. Media Blindspots and Economic Struggles**

Women's sporting events struggle to break into the mainstream media, receiving significantly less coverage compared to men's categories. This lack of exposure creates a vicious cycle - limited media attention translates to fewer sponsorships, hindering access to financial resources, and ultimately, affecting the overall growth and visibility of women's sports. Economic constraints remain a central factor impeding participation. The lack of sponsorships and the burden of competing from a financially disadvantaged background create a significant barrier to entry and sustained involvement in competitive athletics.

By acknowledging these challenges and working towards solutions - promoting gender equality, ensuring financial security, and dismantling societal biases - we can pave the way for a future where Indian women athletes can flourish, not just on the field, but in every aspect of their lives. Their strength, talent, and dedication deserve a level playing field, and fostering this environment will not only empower them but enrich the world of sports with a new wave of talent and perspective.

#### **Women's Sports in India: Legal Frameworks and Barriers**

In India, the absence of dedicated legislation specifically addressing sports remains a notable gap in the legal framework. However, the Indian constitution safeguards certain fundamental rights pertinent to sports under Articles 14, 15, 16, and 215. These constitutional provisions serve as foundational pillars, ensuring equality, non-discrimination, and the protection of individual liberties within the realm of sports and beyond.

A landmark legal precedent in the realm of workplace safety and gender equality was set by the Honorable Supreme Court of India in the case of *Vishaka v. State of Rajasthan*. In this seminal judgment, the Court delineated comprehensive guidelines aimed at preventing and redressing instances of sexual harassment in the workplace. This judicial pronouncement not only underscored the imperative for a safe and inclusive work environment but also served as a beacon for promoting gender equality and dignity in all spheres of life, including sports.

The National Policy for Empowerment of Women, formulated in 2001, stands as a testament to India's commitment to fostering gender equality and women's empowerment across various domains. This policy framework articulates a multifaceted approach encompassing the development of women, the guarantee of fundamental freedoms, equitable access to healthcare, education, and employment opportunities, as well as the eradication of all forms of discrimination and violence against women. By addressing systemic barriers and societal attitudes, the policy endeavors to create an enabling environment where women can fully realize their potential and participate actively in all facets of life, including sports. Furthermore, India's commitment to promoting gender equality in sports is underscored by its ratification of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Article 10(g) of CEDAW explicitly mandates that parties take proactive measures to eliminate discrimination against women in the



field of education, including equal opportunities for participation in sports and physical education. Similarly, Article 13 emphasizes the obligation of states to eradicate gender-based discrimination in all areas of economic and social life, ensuring equal rights for women to engage in recreational activities, sports, and cultural pursuits. These international commitments serve as guiding principles for shaping domestic policies and initiatives aimed at advancing gender equality and inclusion in sports and society at large.

## Conclusion

The landscape of Indian sports demands a paradigm shift, one that actively dismantles gender disparity and fosters a culture of inclusion. To achieve this transformation, specific and effective legislation, coupled with innovative policy formulation, is paramount.

The government's role is crucial in mandating women's participation in sports across all levels, particularly in educational institutions like schools and colleges. This compulsory participation serves as a powerful catalyst, paving the way for dismantling entrenched discriminatory practices.

However, a truly equitable playing field cannot be achieved through participation alone. We must embrace a holistic approach that prioritizes not just equal access but also the well-being of female athletes.

## Key components of this comprehensive strategy include

- **Sexual Harassment Prevention:** Implementing robust policies and mechanisms to prevent and address sexual harassment is imperative. This creates a safe environment where women can train and compete without fear.
- **Addressing Health Concerns:** Understanding and addressing the unique health needs of female athletes is vital. This can encompass creating access to specialized medical care, nutrition guidance, and menstrual health management programs. Beyond these essential measures, promoting initiatives that nurture and celebrate female athleticism are critical.
- **Role Model Outreach:** Amplifying the achievements of female athletes and fostering a culture that celebrates their accomplishments can serve as a powerful inspiration for the next generation.
- **Financial and Resource Allocation:** Equitable distribution of resources such as high-quality facilities, specialized training programs, and sponsorships ensures women are equipped to excel on a level playing field. By enacting this multifaceted approach, we can move beyond mere participation and create a sustainable ecosystem that empowers women to thrive in the world of sports. This will not only lead to a more equitable sporting landscape but also enrich the nation's sporting culture with the dedication, talent, and unique perspectives that women athletes bring to the game.

## Suggestions

### Building a Supportive Ecosystem: Empowering Women in Sports

#### 1. Fostering a Safe and Inclusive Environment

A "women-centric" approach is essential. We must cultivate an atmosphere where women feel physically and emotionally secure. This includes freedom of expression,

one that isn't stifled by male dominance. Developing a robust female coaching, training, and refereeing pool serves a dual purpose. First, it provides valuable mentorship and guidance specific to female athletes. Second, it creates a more comfortable environment for families, who often have concerns about their daughters' safety in male-dominated spaces. This will encourage them to wholeheartedly support their daughters' aspirations to participate in national and international athletics.

#### 2. Leadership Representation and Job Security

Job security for female athletes is a critical issue that demands attention. Actively recruiting women to hold positions of authority in sports governing bodies sends a powerful message. These women leaders serve as role models, demonstrating that success is not only attainable but also actively encouraged for women in the world of sports.

#### 3. Breaking down Barriers at the Grassroots Level

Education is key to dismantling stereotypes. We must educate students and parents alike that physical attributes should not be a barrier to female participation in sports. Encouraging girls to actively engage in sporting activities from the school level fosters a lifelong love of sports and paves the way for future success.

#### 4. Implementing Legal Frameworks and Dismantling Discrimination

Effective implementation of guidelines addressing sexual harassment, as outlined in the Vishaka judgment and other relevant laws, is vital for achieving gender equality in sports. This aligns with the fundamental goals enshrined in the Indian constitution.

## Conclusion

### A Collective Effort for Unwavering Support

The progression towards fostering an atmosphere conducive to the flourishing of women in the realm of sports demands a concerted and unified endeavor. It is incumbent upon us to guarantee that societal constraints, the responsibilities of motherhood, or adversities do not serve as impediments to their advancement. Persistence and steadfast encouragement, extending beyond mere culmination but resonating throughout each stride of their odyssey, shall imbue these women with the strength to pursue their aspirations. For it is acknowledged that the most significant triumphs are those achieved through arduous endeavor, with the benefits accruing not only to the athletes themselves but also enriching the collective fabric of the nation in untold ways.

Our journey towards creating an environment where women in sports can flourish requires a collective effort. We must ensure that societal limitations, motherhood, or setbacks do not stand in their way. Perseverance and unwavering support, not just at the finish line but at every step of the journey, will empower these women to chase their dreams. After all, the greatest victories are hardearned, and the rewards for both athletes and the nation as a whole are immeasurable.

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