

DISCRIMINATION BETWEEN SEXES IN *ON THE BASIS OF SEX* BY MIMI LEDER

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Abstrak

Studi ini mendiskusikan tentang diskriminasi gender antara wanita dan pria dalam film "On the Basis of Sex" (2018) dengan menggunakan perspektif Marxis Feminis. Diskriminasi gender merupakan perlakuan tidak adil yang terjadi dalam berbagai aspek. Seperti halnya dalam film "On the Basis of Sex" (2018) yang menunjukkan wanita membuktikan bagaimana perilaku adil bagi pria dan wanita di berbagai bidang. Dalam film tersebut, seorang pengacara wanita mendapat kasus penolakan pemotongan pajak kepada pemohon pria. Dia merasa itu dapat merubah karirnya menjadi lebih baik. Tujuan dari penelitian studi ini akan berhasil dengan menggunakan teori Marxis Feminis dari Simone De Beauvoir. Beauvoir menggambarkan bahwa wanita akan mandiri dengan menjadi feminis. Studi ini menggunakan analisis tekstual and film visual dengan beberapa pembahasan seperti; wanita direndahkan secara seksual dan professional, dan faktor yang mendukung wanita untuk memerangi diskriminasi gender. Hasil dari analisis akan membuktikan bahwa wanita mampu mendapatkan kesetaraan hak melalui perjuangannya. Kesetaraan wanita merupakan masalah terbesar dalam kehidupan wanita. Karena itu terus di batasi oleh diskriminasi dan ketidaksetaraan sosial.

Kata kunci: Marxis; Feminis; Gender; Disparitas; Diskriminasi

Abstract

This paper discussed gender discrimination between men and women in Mimi Leder's "On the Basis of Sex (2018)" movie using the Marxist feminism perspective. Gender discrimination describes how women and men treated unequally in various aspects. "On the Basis of Sex" revealed how women demonstrate the equal treatment of men and women in all spheres. In the movie, a female lawyer got a case about denying tax deduction to a man petitioner. She understands that it can revolutionize her career. By using a theory of Marxist Feminism by Simone De Beauvoir, it helped to achieve this study's aim. Beauvoir represented that women are independent through being feminists. This study used textual and film visual analysis in following discussions; women being degraded sexually and professionally, and factors that support woman to fight against gender discrimination. From the analysis, women are able to prove that through her struggle, she gets equal rights. Women's equality is the biggest problem in women's lives. Those continue to be limited by discrimination and social inequality.

Keywords: Marxist; Feminism; Gender; Disparity; Discrimination

INTRODUCTION

Gender inequality or gender discrimination refers to the unequal treatment of individuals based on gender that represented in homes, working areas, classes, societies, and others. Gender inequality has various extents; some of them are less favorable for both men and women. (Wani, 2018) Hence, human rights can be threatened. Every human must be treated equally regardless of gender, job, races, and groups. In contrast, as a consequence of our overwhelmingly capitalist societies, male domination continues to lead the society. Karl Marx stated that Marxism produced the power relationship between capitalists and workers that have been

oppressive morally. Those will ultimately generate conflict between classes. Marx said to gain control of labor; capitalists need to exploit the workers. (Marx 2017) The role of women in Marxism is essential because men mostly oppressed them. Here, the term Marxism helped to reveal why women are degraded based on their gender. "On the Basis of Sex" is identified as a Marxist film by the main character's activity and behavior. According to De Beauvoir's theory of Second Sex, women are considered to have less success than men. (De Beauvoir, 2014) De Beauvoir sees a slight chance for a woman to do the same thing as men.

This paper discussed the character of men who discriminated women in "On the Basis of Sex" (2018) movie. It depicts the main character named Ruth, who

illustrates women's struggle to fight against gender disparity and discrimination. It shows the degradation of woman's position in the working space, especially in the law institution. She cannot get a job in a law institution because she is a woman. There is a significant amount of gender discrimination in the workplace. For example, in the movie, men dominate society in the working class. Thus, link to the same case of women's rights and Marxism class struggle. Therefore, Marxist Feminism theory can be used to present this paper. It proposes one of the significant reasons for the second-class women's position and the current patriarchal system of development in society. (Hossain, 2016a)

The paper's focus is the movie "On the Basis of Sex," listed as film studies. Based on *Introducing Cinematic and Theatrical Elements in Film* by John Golden, sets, props, costumes, and acting choices are movie elements. It also has to do with the filming procedure required for the analysis to be examined. The movie techniques include lighting, perspective, camera movement, sound editing, and film movement. (Golden, 2015)

Gender discrimination is the disparity in actions or behaviors based on the gender of a person. It puts people in subordinate roles, particularly women. They feel like their ability or opportunity is very constrained. (Hastuti, 2019) This example demonstrates that females are in low status as stereotypes as males of no similar situation. We can find many aspects that address gender inequality and discrimination in the modern and private spheres. (Hossain, 2016a) Through discrimination and face domination, a woman becomes dependent on men because of the latter's economic independence. (Hossain, 2016b) Moreover, Betty Friedman puts it in her book "The Feminine Mystique (1996)" about feminism. She stated that women's maximum human capacity could only be accomplished in one way by contributing to a social mainstream. It is also by presenting their own identity in all the acts which build up the social system. For women to have complete identity and equality, they must have economic freedom. (Whitaker, 2017)

As we know, the world is controlled by men. Male domination is enforced considerably between cultures, such as social classes. Moreover, male supremacy also seems to reign as the legacy we all have received from the predominantly capitalist system. (Hossain, 2016b) The social levels between men and women create differences and indicate gender discrimination or inequality. Gender inequality is a critical concern that urgently deserves attention. Equality for men and women is an essential sustainability purpose. That term means that, on political, educational, economic, and social grounds, females (girls) and males (boys) have the same

position. It occurs where the equal rights, privileges, and position of women (girls) and men (boys) are equivalents. (Rolleri, 2013)

METODE

This paper explored the nature of gender disparity in "On the Basis of Sex" movie by using textual and film visual analysis method. It discussed about how women being degraded sexually and professionally also factors that support to fight against gender discrimination. The absence of a woman in the film shows the discrimination between two sexes. This study uses De Beauvoir's theory of the Second Sex. De Beauvoir defines women as having less success than men. Those reveal discrimination of women as the lead character in the movie. Therefore, this paper used Marxist Feminism since it explored how the lead character, Ruth Bader, is degraded by her gender in a job field. Focused on De Beauvoir, Feminism is a political, cultural, or economic phenomenon. It is aiming to create significant equality and equitable rights for women. (De Beauvoir, 2014)

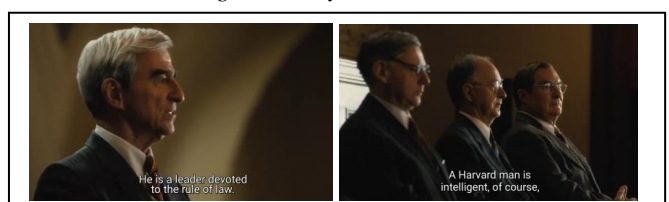
RESULT AND DISCUSSION

Women in "On The Basis Of Sex" Being Degraded Sexually and Professionally

As stated by Beauvoir, men show that they are better at opposing women's opinions. Beauvoir emphasized that discrimination can be found in the workplace. It related to race, religion, class, or gender diminished to the low level. (De Beauvoir, 2014) Discrimination against women is having lower position in industry, government, and the workplace than in males. (Hastuti, 2019) At the same time, in terms of discrimination, men see women as their enemies rather than in inferior class. It indicates men faced difficulties in the immense degree of social inequality. For example, in this movie, men feel like they are in a higher position by discriminating women. It can be seen by the act or the dialogue of the character. In the story "On the Basis of Sex," Ruth represented a woman who discriminated based on her gender.

Some scenes show gender discrimination, like when Ruth is being discriminated on her first day at Harvard Law School with the screenshot and dialogue quotation below:

Scene 1: Welcoming ceremony at Harvard Law School



PROFESSOR: "Consider what does it mean to be Harvard man? A Harvard man is intelligent, of course, but he is also tenacious. He is a leader devoted to the rule of law. He is mindful of his country, loyal to tradition, and he is respectful and protective of our institutions."

Ruth's experienced portray discrimination based on sex. The dialogue above shows how the professor praises men more and somehow shows women's position in the lower class through a man's eyes. Ruth got discrimination through the statement by the professor. Ruth is never degrading and lowering herself as an object. She fully understands her position among men. However, Ruth faced many conflicts and the world's harshness and did not divide herself. So, she recognizes herself as being inferior among men as superior. (De Beauvoir, 2014)

Ruth refers to De Beauvoir's statement, "her salary is inferior to men's in many fields, so her job is less specialized and hence does not pay as well as that of a skilled worker and for the same job the woman paid less. The reason is that she is new to the world of males. She has fewer chances of success than they." (De Beauvoir, 2014) Based on Ruth, as a woman, she cannot do as much as men can because her inferior position. She may have less opportunity to get the proper position among men. Her existence as woman is hardly acceptable because the discrimination recognizes men are better than women. Women cannot get the same right a job like does not pay as much as man's salary. It has a similar situation with Ruth. She cannot have the same chances as men in the hall.

In 1870, American Feminism stated "both men and women have equal rights that they have all those inalienable rights in the presence of their Creator." Men's economic superiority, social worth, the privilege of marriage, and the utility of male encouragement urge women to love men passionately. Throughout all, they are still in bondage. Consequently, women would not recognize and choose themselves by rights but as how men describe them. She must first be identified as men's desire because she is one of the fundamental elements of her concrete state. (De Beauvoir, 2014) In addition, there are some adverse effects of gender discrimination. The first one is lead to the physical degradation and abusion of others. Secondly, it creates attitude disparities within groups, genders, and races. The last one, discrimination implies to the breakdown of social relationships. (Hastuti, 2019) So, Ruth received disparities within gender. Ruth and some women could not get the same rights and praises in the hall.

Here, women indicate that they deserve to be recognized in society. In contrast, men cannot recognize them as having the same position and placing them

inferior. Ruth realizes she is inferior among men in the hall, so she just fell silent and uncomfortably smiling when the professor talks. This scene uses a medium shot camera to show Ruth's expression closely during her professor's talking. Moreover, Ruth is also wearing formal clothes, which shows that she is on a formal occasion. The camera angle shows the situation of Ruth among many men in the hall. Also, the facial expression of Ruth shows that she fully understands her position there. The dialogue used a medium-long shot to show the situation between Ruth and Mr. Greene inside the office.

Women face both discrimination and harassment in this movie. Hence, women here feminize themselves to show that they cannot be oppressed just because of their gender. As women realized their weakness, a large part was discarded and caused them to become feminist. She will recognize herself as passivity and embrace dependence. When she recognized her fault, she was very confident. It is because losing confidence in our bodies requires losing faith in ourselves. The inactivity is the fundamental characterize 'feminine' of women lead man to looks down on them. Right from the beginning, the concepts of superior and inferior are exceedingly significant. (De Beauvoir, 2014)

The evidence below shows Ruth and her daughter, Jane, got harassment in public space in the screenshot and dialogue quotation below:

Scene 2: Man harassing Ruth and Jane in the street



MEN: "Hey, looking good, ladies!"

Scene 3: Men harassing Ruth and Jane verbally

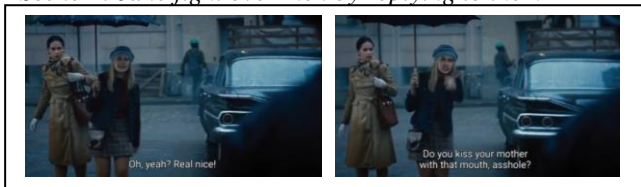


MEN: "Hey, we'll keep you warm if you're getting wet."

In this part, men in the street seem to look down on Ruth and Jane as they signify superiority on him. It can be seen that the dominance of men is continuing to take control of women's lives. The dressing of women is not only proposing embellishment, but it represents the social situation of women. Discrimination reveals different attitudes and mostly negative attitude.

Therefore, discrimination mainly shows the conflict between majority and minority that derives from intimidation. (Hastuti, 2019) It can be seen that men show a negative attitude to Jane and her mother by harassing them. In the scene 2, the scene used long shots to deliver women thoroughly being harassed by men. It is shown that women are the object of pleasure for men. In the scene 3, it used medium shot to show the situation of men. To fight back several men who harass them, Jane attacks them by talks back and yelling at them. She needs to get woman's pride in the screenshot and dialogue quotation below:

Scene 4: Jane fight over men by replying to them



JANE: "Oh yeah? Real nice! Do you kiss your mother with that mouth, asshole?"

The scenes above show how Jane is angry because men are harassing both her and her mother. This scene used a medium-long shot to deliver how Jane and Ruth are talking. Jane talks back to the men defending herself and her mother's pride. It also employs over-shoulder shots to show conversation back and forth between Jane and the men there. The lighting effect fully supports the situation at that scene because it is raining and a little cloudy. Some men there asked Jane and Ruth to get some warmth if they need it because the low light represented cloudiness. The outfit conveying attracted men in the street by looking at Jane's short skirt. The director portrayed a female' gaze that women can wear what they want. The one who harassed them is the man's fault, not a woman. The way Jane attacks them back shows that woman has the freedom to fight man back. Jane did not want her place degraded by men in society. Women will feminize themselves soon as they got oppressed by men. In her book *Second Sex*, Beauvoir stated that a man's behavior generates a new struggle: man "dumps" the woman contemptuously. Man is glad to become the dominant subject, the ultimate superior, and the entire being. Man opposes his companion's fair treatment concisely and reacts to his mistrust through violent actions. When a significant part of a woman's faith fell, she became conscious of her weakness. Thus, the early stages of a transformation led a woman to feminize herself, become passive, and embrace dependency. (De Beauvoir, 2014) In this case, Jane shows that she generates a new struggle from man by being harassed. Jane pulled up a feminist card to fight

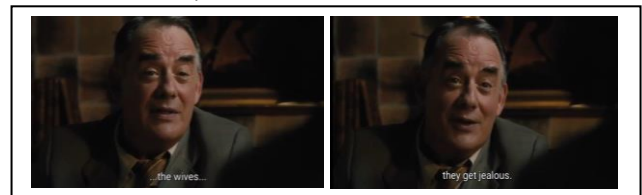
over the inequality she got from men. She implies the feminist characteristics in the way she fought back men who harassed her and her mother. Beauvoir stated that women would become feminists once they find that they get oppressed and harassed. (De Beauvoir, 2014)

Factors that Support Ruth to Fight against Gender Discrimination

Some factors lead Ruth to fight against gender discrimination. The discrimination, oppression, and harassment against women gave rise to a racial phenomenon named 'feminism.' Woman faces Feminism in many places, particularly in the public space like in the workplace. A feminist theory became an inevitable consequence for women around the world in the general revolution. It is a solid theoretical perspective that emphasizes women's power to expose their subordination to men (starting with the sexual division of labor) or achieving equality between them. (Hossain, 2016a)

Some scenes show Ruth in "On the Basis of Sex" movie against gender discrimination by men degrading her. At first, Ruth needed to take her husband's place all over his classes and make a life for her family. So, she seeks a job in a law institution. In contrast, all firms are dismissed Ruth in the screenshot and dialogue quotation below:

Scene 5: Mr. Greene tells Ruth that she cannot work there sarcastically



MR GREENE: "The fact is that you know, we're a...close-knit firm, almost like family, and uh...the wives...they get jealous."

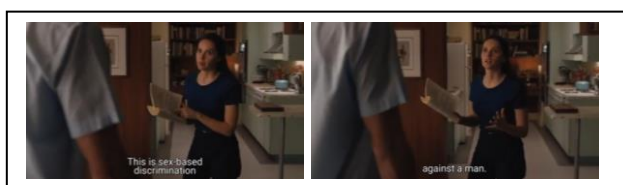
The conversation above leads her to maintain her self-esteem as a woman and gender discrimination does not exist. She shows that both women and wives can work as lawyers. It shows Ruth came before the actual public when the patriarchal-controlled workplaces were discriminated and unequal. Mr. Greene acrimoniously stated that she could not work there because most women use their feelings of jealousy. Men will become closer to other employment, especially women. Referring to Hossain, he stated that women are also faced with discriminatory recruiting treatment. (Hossain, 2016a) It is seen that Mr. Greene discriminated Ruth in the firm's recruitment.

This scene is using a medium close-up shot to reveals the situation when Ruth and Greene talk. It shows the expression between Ruth and Mr. Greene when they are talking. Ruth persistent with her sentences yet Mr.

Greene look down on her. The conversation above seeks Ruth's idea to prove that both woman and man must be equal and that no one could degrade women. When women recognize that men have duped them, they start to view the world from their own eyes proudly. Those will lead women to seek independence. So, they can obtain the same position as men. She has a new worldview and does not see her with the same eyes. A woman presents an independent human being with extreme difficulties. (De Beauvoir, 2014) Ruth will ultimately be a different person with different points of view once she becomes an independent woman.

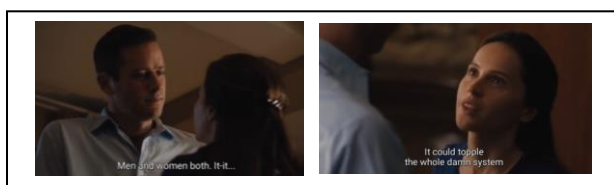
Furthermore, another factor that leads Ruth to fight against gender discrimination is when Ruth's husband offers her a tax case. It is about denying a tax deduction to hire a nurse who needs to take care of an invalid mother. A petitioner is a man named Charles Moritz. It shows in the screenshot and dialogue quotation below:

Scene 6: Ruth agrees to take the case of Dorothy Kenyon that discriminated based on gender



RUTH: "Marty... Section 214 of the tax code assumes a caregiver has to be a woman. This is sex-based discrimination against a man."

Scene 7: Ruth agrees to take the case of Dorothy Kenyon that discriminated based on gender



RUTH: "Men and women both. It-it... It could topple the whole damn system of discrimination."

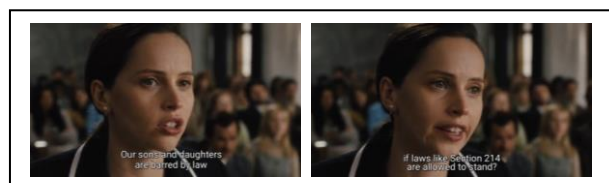
To show if the court is discriminated based on gender, Ruth intends to win over the case and prove that both man and woman must be equals in a law. Though no one should deny the physiological disparity between men and women, culture requires multiple inequalities to be practiced. In conclusion, these differences in social practices lead to discrimination and injustice. (Hossain, 2016a) All of the scenes used over-shoulder shots to emphasize the situation or emotion between two characters on the screen. It shows that the off-screen actors' shoulder in the scene informs your thoughts about

the actor's mental state. Martin's shoulder explains the feeling when he is off-screen to the audience. The scenes are also describing back and forth conversations between characters.

Ruth is compelled to win the case of Charles Moritz to shows that discrimination based on sex must be rejected. Women can have an ethical sense of the unexpected daily operations. As their lack leisure time and uphold a history of assertiveness. It is reasonable that they are still beginning to expand their political and social conscience. (De Beauvoir, 2014) Women will automatically adapt themselves in their place without any visible act. As what they do in their home, they will have an ethical sense. This way of understanding brings Ruth to believe that she can win the same position for men and women, as in the case of Charles Moritz. He was discriminated because he was a male and the tax-giver allowed the deduction tax only for women.

Moreover, in another scene, Ruth finds her solution when she finally expresses her sentence to win the case at the court in the screenshot and dialogue quotation below:

Scene 8: Ruth explaining why discrimination should not be exists



RUTH: "Our sons and daughters are barred by law from opportunities based on assumptions about their abilities. How will they ever disprove these assumptions if laws like Section 214 are allowed to stand? We all must take these laws on, one by one, for as long as it takes, for their sakes."

Ruth reflects her problem by saying that discrimination is going to happen in the future. Fair justice must apply for both men and women in any area. For example, several men on the street discriminated her daughter, but luckily, she can defend against them. For the sake of their descent, they must legalize equal rights. This scene used a medium close-up shot because it shows Ruth's expression and situation behind her when explaining at the court. It also used key lighting to represent the various moods when Ruth talks about legal discrimination in the future. The director was emphasizing her expression to show if that situation becomes more serious. Even the background indicates that the audiences slowly understand the point of Ruth's talking.

According to De Beauvoir in her *Second Sex*, women seeking independence through work have far

fewer possibilities than their masculine competitors. (De Beauvoir, 2014) There is nothing that women are inherently better at than men, nor vice versa. It signified that women need to take some acts to make equality between sexes. Beauvoir shows that women will become independent once they recognize themselves as having fewer chances to succeed. The capitalist production process empowered men with this economic opportunity. It makes them more powerful in society. That is why firms should attempt to enhance women's reputation in the workplace and community to re-establish women's rights. (Hossain, 2016a) For the example above, Ruth is categorized as a feminist because she needs to get equal values within a man. Ruth fights over the argument at the court that men and women can be equal. Ruth is also seeking a job to define herself as becomes an independent woman. Ruth represented herself by showing some factors that she fights gender discrimination to create equality in both sexes. She also fights for women's right to get an equal position in society. So, Ruth said that laws about discrimination should not be legalized. The principle of equality is essential. It implies that individuals must deserve to be treated fairly and equally inside the law system. (OHCHR, 2003)

In the end, Ruth only wants right the wrong, which is equality for both men and women. The social stereotype that men are superior and women are inferior must be removed. People should not focus on all these realities when we assess women's achievements and predict their future. In a very contentious case, a woman begins a career and remains subject to the pressures that her femininity has historically meant. Neither are objective conditions favorable. (De Beauvoir, 2014)

CONCLUSION

This paper discussed gender disparity between sexes in the "On the Basis of Sex" movie. It also reveals discrimination that affects woman's existence in a working place. According to the theory of Simone De Beauvoir, Marxist Feminism, a woman who fights for gender discrimination is feminizing herself to face the conflict of different social status levels and creates inequality. The existence of women in the movie is somewhat cannot be accepted. It represented how a woman got degraded because of her gender. Ruth in the story proves that both man and woman can be equal. The evidence can be found by Ruth's fight to determine her future career and how the courts see discrimination based on gender.

Nevertheless, Ruth's struggles are for both sexes who can get the same position. Ruth tried to win the case of a man who got discriminated because he is a man.

Thus, the issue of Charles Moritz over tax deductions was won by Ruth and showing what would happen in the future if discrimination based on sex legalized in the courts. The bias of Ruth and Charles Moritz in the movie depicted disparity between sexes. The causes of gender disparity are because lack of employment equality and lack of legal protections. Ruth, who has less success when seeking a job in a law institution, actually lacks employment equality. Then, lack of legal protection is when Charles Moritz got discrimination because of the tax deduction since he is a man. However, in the end, Ruth can justify that she won the case of Charles Moritz over a male lawyer. At the same time, Ruth feels conscious of her weaknesses and then feminizes herself to become feminist and independent. Ruth has proved that both man and woman are equal and not must be degraded.

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