
The Struggle of Woman Emancipation in the Movie “On the Basis of Sex”: A Feminist Criticism

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ABSTRACT

As stated in the theory of reception that literature including movie reflects real world, this research tried to unveil social phenomenon within movie entitled “On the Basis of Sex”. To conduct the analysis, Marxist feminism is used as a theory. The method used in the study was descriptive qualitative method in which the movie script is the main source of the data. The result of the study showed that women did the struggle against discrimination and domination of patriarchy in some aspects, such as job and occupation, law, social environment, and cultural structure. This is a very interesting movie that brings the issue of discrimination, oppression, localization, commoditization and the struggle to get rid of them and to establish women emancipation. The movie succeeded in portraying those social problems. The viewers of the movie could be aware of those issues. Men should be aware that they must look at women equally. Furthermore, women also must struggle for their right. Women should be independent. Ruth is the best example of how women should do. We must fight against anything to establish women emancipation, even we have to fight the laws that are discriminative.

Keywords: Marxist, feminism, emancipation, movie

1. INTRODUCTION

Art forms in literary works are very diverse, ranging from poetry, books, songs, movies and many more. One of the literary works that many people are interested in is movie. Movie is an audio-visual communication media to convey a message to a group of people who gather in a certain place. The movie that the writer of this analysis embodies On the Basis of Sex is a 2018 American biographical legal drama movie based on the life and early cases of Supreme Court Justice Ruth Bader Ginsburg. Directed by Mimi Leder and written by Daniel Stiepleman. Ruth Bader Ginsburg is a phenomenal feminist figure. She is the Chief Justice of

the Supreme Court of America. He also successfully passed to study law at Harvard. In his time, what he did was part of breaking tradition. Besides, she became a role model for women who took education in the field of law because of the extraordinary career achievements. Ruth is also proof that a feminist as well as a mother and wife can carry out their roles properly, supported by a good support system. In this film, there are elements of feminist issues and conflicts that cause discrimination against women, where the figure of Ruth Ginsburg must maintain the dignity of all women in the world so that gender discrimination does not occur as in the theory of feminism.

Feminism is a theory, which focuses on women ability to maintain their equality through their own actions and choices. According to (Ritzer, 2004) "Feminism is kind of critical social theory which included in social context, political, economic, and history that is facing by injustice people. Feminists argue that society holds the false belief that women are by nature, less intellectually and physically capable than men, thus it tends to discriminate against women in the academy, the forum, and the marketplace. According to (Krolokke and Sorensen,2005), the history of feminism is divided into three waves. Each wave deals with different aspects of the same feminist issues. (Rosenstand, 2006) states that "the first wave generally refers to the feminist movement in Europe and the United States from its early beginning the seventeenth century to the accomplishment of its most urgent goal, the right for the women right". Further (Philcer and Whelehan, 2004) say that "In Britain, the origins of first wave feminism lay in the widespread social and economic changes of industrialization, one aspect of which was the extension of constitutional rights to wider sections of the (male) population.

He also states that "This early feminism was concerned with the education and employment rights of women and with improving the legal rights of married women (Philcer and Whelehan, 2004). One of feminist theories is Marxist feminism refers to a set of theoretical frameworks that have emerged out of the intersection of Marxism and feminism. Marxist feminism is growing up in the second wave during late 1960s and 1970s, in Britain especially. Marxist feminist analysis as the identification of the structural elements that determine the quality and nature of our experience. (Guerin, 1979) states that "Marxist feminist attack the prevailing capitalistic system of the West, which they view as sexually as well as economically exploitative. Marxist feminist thus combines study of class and gender. Regarding the problems appear in the movie, the researcher decided to use Marxist feminist to analyze the movie.

2. METHODS

The writer uses descriptive-qualitative method to analyze the movie. According to Bogdan and Taylor (cited by Moleong, 2010) qualitative method is "a research procedure that obtains descriptive data in written or spoken form from the people and their behavior which is being observed"

The main source of the data is a film produced by Robert W. Cort, entitled "On the Basis of Sex". The writer collects the data based on the dialogue, action and scene related to the Marxist Feminism. The secondary data sources are other sources related to the study, such as: internet sources and some books that support the analysis. After the data were collected, there are some steps to analyze them. Firstly, the writer classified and categorized the data. Then the writer presented the data in accordance with the categories. After that, the writer analyzed the data.

3. RESULTS AND DISCUSSION

This movie talks about how women are treated in the United State in term of education, job opportunity, everyday life and even in term of law which is based on real story. The movie talks about oppression, discrimination, hegemony, localization. Besides, it also talks about how the woman try to overcome those treatments; and it is what is called the struggle of women to get emancipation. Let's have a look at the following statement stated by the main character.

"There is a hundred and seventy-eight federal law that differentiates on the basis of sex. Count them. The government did the favor of compiling them for you. And while you're at it, I urge you to read them. They are obstacles to our children."

This statement explains that more than one hundred sex-differentiating laws that will threaten the future of the younger generation, because it exposes many people to economic and human rights threats. Therefore, if there are many laws that differentiate between sexes, the country will have an unstable economy and there will certainly be a lot of cash for violence against women.

This first data taken from the movie related to women emancipation. Ruth, the main character, tries to make everyone read the laws related to differentiating based on gender in order to open the minds of the people around her that the law has a nature deviating from what it should be. It can be concluded that the thinking of the people and the government at

that time was still much closed, and they preferred to preserve the culture from the past rather than changing their stereotypes to make the country more advanced in the field of humanity. With the existence of a law that distinguishes based on sex, it will make justice very expensive for women.

The second datum from the movie that talks about discrimination and the struggle to overcome it can be found in the following dialogue.

Ruth : "Mr. Greene. I want to be a lawyer. I want to represent clients before the court in pursuit of justice. (re: her resume) You can see I worked hard through school. I did everything I was supposed to, and I excelled. I swear it: I'll do the same for you."

From this dialogue above Ruth is attempting to strengthen herself as a woman. She is looking for a way to seek justice for all women, and from what she says, as if to convince someone to make her a lawyer so that she can fight injustice both injustice policies for women and injustice in other legal cases.

The situation shows us that Ruth who is begging the superiors of a legal institution named Greene to accept her as a lawyer in the law firm, she begs to become a lawyer so she can help her client who is in need for justice. Because at that time, there were very few lawyers who could win justice in court, due to deviant laws.

In this section, Ruth ventured to major in law, where at that time very few women were able to enter the world of politics and law.

As what Feminism say, women are not as high as men in term of social status than men and will never be the same as men. In another sense, women will always be subordinate to men and will never be able to argue with that statement. So, to reject this statement, it requires a huge struggle and also requires courage to violate applicable laws, even though sometimes many people underestimate and also belittle those actions to change stereotypes and also change legal policies are impossible.

The stereotype of society is very difficult to change because it depends on their respective and beliefs. Not everyone supports the actions that Ruth does but there are also some people who support her movement.

Women find it difficult to equalize their status with men, because of the applicable law. Furthermore, they will also be threatened with convictions if they break the law. On the other hand, the community does not have the power to fight against these deviant laws, because the government is necessary to pass down the laws that were already in effect at that time.

In the sentence *"I want to represent clients before the court in pursuit of justice"* Ruth wants to try to seek justice for all people before the court. Where at that time justice was still very minimal due to deviant laws, behind all that she learned to understand laws which could be said to be inappropriate to enact. This shows that there is a struggle to seek equal rights based on Feminist theory, which explains that the storyline in the dialogue has the aim of seeking equal rights in law and fighting for justice.

The next data is also a stamen stated by Ruth.

Ruth: "Dorothy Kenyon asked a question: If the law differentiates between people on the basis of sex, then how women will, and men ever become equals? And the Supreme Court answered. They won't. Hoyt lost her appeal. The decision was unanimous: Discrimination on the basis of sex is legal. "

Through this dialogue, we could imply that gender discrimination is legal in society as in the sentence *"Discrimination on the basis of sex is legal"*. This means that gender discrimination that occurs in society is something that is allowed by law and government policy, and it has been recorded in State law where it is allowed for anyone who wants to do certain things in accordance with the law. And according to her, this will be very dangerous for the future of women.

The clause *"if the law distinguishes between people based on sex, then how can women and men be equal?"* Explains that at that time the law did see in terms of gender, and not a few people who also caused a crisis of this situation could harm one gender that could destroy a person's life both in terms of his economy and class as a human being. This confirms that much of the Marxist Feminism is contained in this movie where gender can be a yardstick to ask someone's legal case.

Judging from the plot story, society at that time really needed education about women right, because there were still many who thought that women are destined to obey what was ordered. In this case, patriarchal culture is still very strong

in society, and actions to open one's mind require deep education so that people can realize that the actions they have believed so far are actions which in humanity are not right to do.

The next data can be found in the following statement stated by the main character.

Ruth: "The 14th amendment to the United States Constitution says all people must be treated equally under the law. And yet, there are.. I don't know how many laws like the caregiver deduction that say in effect, women stay home and men go to work. And that it should stay that way forever."

This dialogue explains that there is a policy in which all people must be treated equally and fairly. It is an attempt conducted to eliminate patriarchal culture in America. However, as the time passed by the patriarchal culture is still very strong in society, even today. It took a big effort to get rid of it. By eliminating applicable laws, it does not mean that people will change the view of a culture that is used to it.

In the situation above, Ruth is discussing a case with her client, and makes her client tell the chronology of a problem. Mr. Moritz tells his chronology why the case is still not resolved; many lawyers have asked him to stop the case because they think there is nothing that needs to be resolved, meaning Mr. Moritz doesn't have any cases.

In order to achieve women emancipation, the movie tries to get rid of women localization. The idea that woman should stay at home and not worth to work should be reduced and even removed. Here is the data from the movie.

Roemer: "Let the man stay home and take care of his children. We got work to do."

Here, Roemer wants to challenge the idea that women must do all household chores and take care of children, even though they also have a job, taking care of the house and children is not a difficult thing for women. But Roemer wants a man to try the position of a woman, in which she takes care of the house and looks after children. Also, they have to work after they take care of the house and their children. How difficult it is for women because of the law.

Roemer tried to give aspirations to her friends to open her mind a little that the task of women is really tough compared to men. Because someone will definitely experience death, that's why we shouldn't depend on people. If the man experiences illness or death, his family's economy will decline because there is no more economic source. Therefore, the message in this dialogue is that women need freedom to move freely, and they also have the right to help men to improve their family's economy.

This dialogue also implied that this action was carried out solely to provide an image that has been passed from women to men, small things that were done but were very meaningful for women in that condition. This is a pretty bold and risky action.

Roemer also told her friends that they had to take action to reject the government's policy on discrimination against women. On the other hand, they must think critically and be independent without men. Humans were created in pairs, but not forever. Therefore, as humans we must be independent if our partner has left. Women also have to be strong because they not only bear household burdens but also bear financial burdens if their husbands are not around.

Roemer also forces men to appreciate and respect women more as mothers and their partners, where women can become heroes at certain times in their domestic life. Women are human beings who need to be respected, because without women, men cannot become anything. Even the sacrifice is also large at the time of childbirth and women are entitled to receive treatment like ordinary humans.

Another attempt conducted by Ruth to get women emancipation is changing and fighting opinion and view from student containing discrimination toward women. Even though it is just an opinion, the opinions of men prove the existence of discrimination from various classes.

Ruth: "And he'd like the government to Concede that he did nothing wrong. And to enter into the court record That Section 214 of the Tax Code Discriminates on the basis of sex, And is therefore unconstitutional. "

In this dialogue, Ruth talks about the case that Ruth took for her to handle, because this case will soon be closed and will not be investigated because it is related to gender which must be dismissed due to discrimination from the judge. Ruth tries

to take the case forward and take over by reporting to the court by recording the case dismissed due to gender discrimination.

Here, Ruth wanted to defend an old woman who was found guilty by a judge because she was found working not in accordance with the law applicable to women at that time. And Ruth wants to prove that it is discrimination against women and is included in that article. This case was threatened with closure because the judge decided that the defendant was guilty of the action he had committed. On the one hand, Ruth saw that the judge did not look at the topic of the case but through gender.

Ruth was not trusted and doubted to continue this case, because Ruth is a woman, and many judges have doubts about female lawyers. She also had never handled a case before so her colleague doubted that she could win the trial. But Ruth did not want to listen to other people, and she continued to move towards achieving her goals so that she could fight and also voice harmful things to society.

The action conducted by Ruth to establish women emancipation getting rid of discrimination in terms of gender. Look at the following statement taken from the dialogue in the movie.

"The principle purpose of Section 214 is neither to protect women nor to discriminate against men. It is to provide caregivers the opportunity to work outside the home. Therefore as the Supreme Court did in Levy V Louisiana - this court should fix the law in the way most in line With the legislative intent. Extend the deduction to never-married men. Help all caregivers equally."

This dialogue explains that Ruth is asking the government to improve the current law, because the law discriminates women. As in the line *"It is to provide caregivers the opportunity to work outside the home."* This verse describes the figure of a woman who always works at home and is not given the freedom to work outside the home, therefore Ruth expresses her opinion that women should be given the freedom to work outside the home, because they also need to socialize with the outside environment.

In the line *"this court should fix the law in the way most in line with the legislative intent."* Where the court must improve the law and improve in giving

charges so as not to make the innocent defendant not become the victim of the wrongdoing of the law that was taken to accuse someone. In addition, the government must act decisively to improve the applicable law, and also prosecute judges who have made mistakes in giving charges. Apart from being included in the category of discrimination, this act also violates human rights, because it opposes the rights of human freedom of expression.

Therefore, Ruth tried to win the trial because she would also try to straighten out the deviant charges and she would try to fight against acts of gender discrimination in that case. In addition to straightening the charges against her client, she also tried to straighten out deviant laws from the perspective of gender, because of that Ruth's actions had many pros and cons from several parties and also her fellow lawyer, because Ruth would not be able to change the existing provisions applies in the State even though from the point of view, the law is only for the benefit and not for justice for citizens.

The next action done by Ruth can be seen in the following statement.

Ruth: "There are laws that say women can't work overtime. A woman's social security benefits, unlike her husband's, don't provide for her family after death."

In the dialogue, it can be concluded that there is a law that says women are not allowed to work constantly outside the home, because women also have responsibilities at home, namely, to care for their husbands and children. Therefore, many laws prohibit women from working because women's duty is to take care of the house. In addition, many people think that women do not deserve to be in the world of work because women are weak and cannot think critically to solve work problems. This is very unfortunate because with such thoughts, the dignity of women is lowered.

The statement above is stated by Ruth during her lecture. She explained sex discrimination material during lectures. She explained that a woman cannot work all day because she has other obligations at home and that cannot be left out.

The line "*A woman's social security benefits, unlike her husband's, don't provide for her family after death.*". If this is interpreted with a rational view, the sentence is only to make women unable to move freely, basically if we reverse the

condition, and if the husband dies, the husband also cannot support his family and the family will no longer have any sources of funding their life. Therefore, women should be independent and also be able to help their husbands earn a living for the common needs of the family.

When this happens, the family economy increases because the source of breadwinner does not only rely on one person. When the husband dies, their family's economy remains in a stable condition because there are other sources of income besides the husband. Therefore, such a perception is only for people who adhere to a patriarchal culture, where only men are allowed to earn a living.

To establish women emancipation Ruth also tries to get rid of traditional gender view based on patriarchal culture. Look at the following dialogue between Ruth and Judge Doyle.

Judge Doyle: I have a question. If I understand correctly, you're concerned about men and women being pigeon-holed into certain roles based on gender.

Ruth: Yes. That's correct. Because --

Judge Doyle: Excuse me. That wasn't my question. It strikes me that the caregiver deduction does the opposite. It helps women be able to work outside the home. Isn't that a good thing?

Ruth: But the law assumes it must be women who are supposed to stay at home in the first place.

Judge Holloway: That's the case in every family I know.

In the conversation above, Ruth is fighting for women's rights in court; she feels that women are indeed primarily responsible for being at home and caring for children. Not only that, but Ruth straightened out a law that explained that women must be indoors 24 hours. Ruth's opinion was denied by the judge because, according to the judge, it was a woman's duty as a wife. He also often saw this act in the family and for the judge; it was normal and did not need to be a problem. But Ruth denied this because it was already in the law and it didn't need to be in the law because work at home was a common right, caring for children was also a joint obligation between husband and wife.

It is very hard for Ruth to face her opponent, the judges. She was underestimated by her opponent, but after she ventured and explained according to

the facts, the judge could not say anything and just kept silent seeing that their actions were wrong. While Ruth was explaining a matter, at that time the time to talk had run out. But the judge asked Ruth to continue what she was talking about, and immediately those in the trial became silent because of what Ruth said, finally Mr. Moritz's case will be followed up as the case resulted from sex discrimination.

4. CONCLUSIONS

This is a very interesting movie that brings the issue of discrimination, oppression, localization, commoditization and also the struggle to get rid of them and to establish women emancipation. The movie succeeded in portraying those social problems. The viewers of the movie could be aware of those issues. Men should be aware that they have to look at women equally. Men should not do more discrimination, oppression, localization, and even commoditization. On the other hand, women should be aware of their condition, how they are treated in order to avoid being the victim of discrimination. Furthermore, women also have to struggle for their right. Women should be independent. Ruth is the best example of how women should do. We have to fight against anything to establish women emancipation, even we have to fight the laws that are discriminative.

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