

# HUMAN RIGHTS AND INDIAN WOMEN-A STUDY

**Vanaja**

Assistant Professor

Department of Political science

Government Arts College. Bangalore-560001.

## ABSTRACT;

We can have seen that every day everywhere paper News, T V channels and Electronic devices are presenting to the violation of Human Rights of Women in India. Human rights are those minimum rights which are compulsorily accessible by every individual as she is a member of human family. The constitution of India also guarantees the equality of rights of men and women. However, in the sphere of women's human rights in India, there exists a wide gap between theory and practice. In our society is a male dominated society where men are always assumed to be superior to society. The India Women have to face to discrimination, injustice and dishonor. Though women in India have been given more rights as compared to men, even then the condition of women in India is miserable. This paper will throw light on the human rights of women in India and that how all the fundamental rights given to the women are being violated in India, by focusing on the various crimes done against them. Women, a grandmother, a mother, a wife, a girl, overall woman is a key of a family. World can never be complete without a woman. Law is the set of rules enforced to govern the behavior of people.

**Keywords:** Legal status, Women rights, Domestic violence, Child marriage, Dowry, Empowerment, Illiteracy, Unemployment.

## I. INTRODUCTION;

Human Rights are the minimum rights which are compulsorily obtainable by every individual as he/she is a member of human society. But it has been found that each and every right of the women is being violated various types in our society. The Indian constitution has granted equal rights to the men and women. According to article 14, "The State shall not deny to any person equality before law or the equal protection of laws within the territory of India". And Article 15 states – „State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them, But today, it seems that there is a wide gap between theory and practice.

Legally a female is known as a woman after she has passed through her childhood and adolescence, i.e. basically after crossing the teenage a girl is a woman. Government of India has made several laws to provide equal status to women in our country and secure their lives from various violence and crimes.

**II. METHODOLOGY;** In the present study mostly secondary data have been used. In addition to this, data have also been collected from various journals, articles, newspaper, and books. This paper is also based on the referred sources – published, unpublished and electronic.

**III. DIAGRAMMING OF VIOLATIONS OF WOMEN'S RIGHTS;** The areas that violate the rights of women in India have been stated as follows:

**3.1 Missing of Women and Girls;**—In many developing countries, the idiom of “missing women” has been used, when it was found, the proportion of women as compared to men is low in population. In many states of India, women and girls go missing. One of the main reasons that lead to their missing is trafficking. When girls are trafficked, they are severely exploited and are deprived of food and other basic necessities. The girls belonging to the poor families are sold by the brokers to men in northern India, where the problem of imbalanced gender ratio is much apparent.

**3.2 Dowry deaths:** - In India the unusual dowry deaths of the women at their matrimonial home has been increasing at a startling rate. Dowry disputes are quite a serious problem. The National Crime Records Bureau in India in its report had disclosed that in 2012 around 8233 newly wedded brides were killed for dowry. Now India reports the highest total number of dowry deaths with 8391(March 2019) “The role of husband’s reaction to dowry brought at the time of International Research Journal of Social marriage on subsequent experience of marital violence.

**3.3 Domestic Violence**—There has been prevalence of domestic violence in India, in spite of the Protection of Women from Domestic Violence Act, 2005. Domestic violence is, when a woman experiences violent and criminal acts at the hands of their husbands, in-laws, fathers, brothers or other family members. These include verbal abuse, physical abuse, and inflicting various forms of mistreatment. There are numerous reasons for women experiencing domestic violence within their marital homes, these are inability to carry out the household tasks in an appropriate manner,

**3.4 Sati** – Sati is a practice, when the widows were placed in the funeral pyres of their husbands. This practice was abolished by the social reformer Raja Ram Mohan Roy in 1829. It continues to prevail in the post-colonial India. The Sati Prevention Act was passed which declared the practice of Sati as a crime for which death penalty can also be given to the perpetrators. The act also declared that the veneration of Sati by erecting a temple and worshipping of the deceased women as a God is also prohibited. However, certain sections of individuals perceive this law as intervention in their right to practice the dictates of their religion.

**3.5 Child Marriage** –Child marriage is the marriage of girls when girls are below 18 years of age and when boys are below 21 years of age. Child marriage is regarded as a practice that deprives the girls of their childhood. They experience problems in the acquisition of education, getting enrolled in school, taking pleasure in other childhood activities and in enhancing their skills and abilities. It also effects the social, psychological and emotional development of the child in a negative way.

**3.6 Preference for a Male Child:** – The preference for a son is a phenomenon which is historically rooted in the patriarchal system of the Indian society. The strong preference for having a son emerged with the transition of the Indian society from primitive stage which used to be primarily a matrilineal to feudal stage where agriculture emerged as the primary established occupation of the people to be controlled by the male. The concept of private property emerged and the land began to be divided among the families. The families having control over the larger part of land were seen with pride.

**3.7 Female Foeticide and Female Infanticide** –Female foeticide is referred to the assassination of the girl baby, before she is born and female infanticide is assassination of the girl child, after she is born. These practices reject the basic right from the girl child, i.e. the right to live. There have been communities of individuals, who have a strong preference for the male children. They obsessed this viewpoint that families with male children were seen

with pride, when they have control over the larger part of land. They regarded females as liabilities, who would not produce any wealth for their families.

**3.8 Women and Education:** - The education of women in India plays a significant role in improving living standards in the country. A higher women literacy rate improves the quality of life both at home and outside the home, by encouraging and promoting education of children, especially female children, and in reducing the infant mortality rate. Several studies have shown that a lower level of women literacy rates results in higher levels of fertility and infant mortality, poorer nutrition, lower earning potential and the lack of an ability to make decisions within a household. Women's lower educational level is also shown to adversely affect the health and living conditions of children.

**3.10 Sexual Harassment at the Workplace** –The occurrence of sexual harassment at the workplace is considered as the most detrimental problem that imposes barriers within the course of their progression. In India, women are discriminated against in terms of pay and remuneration for their jobs. This is a fact for both urban and rural areas; they are mistreated in concerns of promotion and advancement within the employment setting.

**3.11 Rape** - In India, there has been a significant increase in the numbers of rape cases in the past 10 years. Rape normally takes place out of animosity, enmity, resentment or any other reason. According to the National Crime Records Bureau, in 2012, about 24923, rape cases were reported. In India, within the rural areas, particularly in Northern India, the upper caste people use mass rapes as a strategy to exercise power over the members of the lower caste groups. The vicious gang rape case in Delhi in December, 2012 had led to the passage of a stricter Law i.e. The Criminal Law (Amendment) Act 2013 to deal with the rape cases within the country.

**3.12 Societal Violence against Women** - The communities and the societies in India in most of the places are bound up with the patriarchal normative structure. In these types of societies, it becomes difficult for women to establish their position and obtain justice. The religious communities, village communities or the artificial communities like professional bodies are barely epitome of equality between men and women. Quite often the religious communities have made the life of women miserable by forcing them to adopt conservative practices that would lead to negative effects.

## IV. HINDRANCES FOR WOMEN'S;

### 4.1 Poverty –

Poverty is a condition, when the individuals experience scarcity of resources, due to which they are unable to satisfy their needs and requirements. In 2005, it has been estimated that 76% of the population lived under the poverty line of USD two per day, and that 42% had to make ends meet with an income below USD 1.25 per day. The poverty gap remains comparatively large. In and through the nationwide liberalization process, seven states with the lowest incomes are lagging behind.

### 4.2 Illiteracy –

When the girls are discouraged to study and the acquisition of education is not given recognition with regards to girls and women, then it is a major barrier within the course of exercising rights. Illiteracy imposes numerous disadvantages for the individuals. Through illiteracy, one usually remains unaware regarding how to sustain their living conditions in an effective way.

### 4.3 Unemployment –

Every individual desires to obtain employment or some means to generate income. The individuals, who are poverty stricken and belong to deprived and marginalized communities, usually feel that unemployment and lack of resources are the major barriers within the course of exercising rights. On the other hand, educated and literate individuals, when they experience problems in finding employment, they become depressed and frustrated. A depressed and a frustrated person will not take pleasure in exercising his rights. When they do not have a source of income, they are not able to sustain their living conditions. Aspects such as, housing, health, diet and nutrition, education and so forth remain unfulfilled.

## V. STRATEGIES OF WOMEN'S EMPOWERMENT IN INDIA;

The women in India are positioned at a receiving end primarily because they have remained ignorant of their fundamental civil and constitutional rights. Patriarchal system impinges on every sphere of a woman's life. In such a situation often a majority of them are forced to accept the traditional practices that are detrimental for both their and their children's development. Although women have acquired a level of financial and political autonomy and consciousness about their rights, yet they experience helplessness in bringing about basic changes for eliminating gender inequalities from the society.

The women's organizations must try to empower women by changing the attitudes of the society towards the harmful traditional practices. One of the most vital tasks of the various women organizations and NGOs is to help women in rebuilding their lives and confidence. These goals can be achieved only if the women are adequately educated about their legal rights and are economically independent enough to take independent decisions of their own life. Such programmes if done within shelter homes can provide both counseling and a connection among the women's who were victimized.

## VI. CONCLUSION:

To conclude I would like to say that personally I feel that equal rights should be awarded to women who have already been enjoyed by men in our society as women forms a major part of Indian population and for social and economic welfare on global platform women welfare is very much needed. Indian women has come a long way and prove that she is capable of doing anything and equal partner in the growth and prosperity of the nation. Women are one of the pillars of the society and it would be very difficult to imagine society without the presence of women. Thus in short, the Millennium Development Goal on gender equality and women's empowerment can be realised in India only when the traditional practices like female infanticide, dowry deaths, honor killings by Khap panchayats, domestic violence, or sexual abuse is eliminated. It is only then that gender equality and women's empowerment can become a reality. In the present existence, with the impact of modernization and use of innovative methods, the rights of women have been acknowledged.

## References:

1. Savita Bhatt, Women and Human Rights, Alter Publishing House, New Delhi, 2010, pp. 1-2.
2. Aswal, B. S., Women and Human Rights, Cyber tech Publication, New Delhi, 2010,p.1.
3. Kishwar Madhu, Where daughters are unwanted, Manushi, 86, 15-22 (1995)
4. Saryal, S. (2014). Women's Rights in India: Problems and Prospects. International Research o Journal of Social Sciences, 3(7), 49-53. Retrieved October 02, 2017 from o <http://www.isca.in/IJSS/Archive/v3/i7/9.ISCA-IRJSS-2014-84.pdf>
5. Thukral, E.G., & Ali, B. (n.d.). Child Marriage in India: Achievements, Gaps and Challenges. o Retrieved October 02, 2017 from [http://www.ohchr.org/Documents/Issues/Women/ Women's Rights are Human Rights.](http://www.ohchr.org/Documents/Issues/Women/Women's%20Rights%20are%20Human%20Rights.pdf)