

THE VIOLATION OF WOMEN HUMAN RIGHTS IN INDIA

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ABSTRACT

We can see 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.

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Introduction

“Freedom means the supremacy of human rights everywhere. Our support goes to those who struggle to gain those rights and keep them. Our strength is our unity of purpose. To that high concept there can be no end save victory.”

— **Franklin D. Roosevelt**

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. The women in India have always been considered subordinate to men. Though the article contained in the constitution mandates equality and non – discrimination on the grounds of sex, women is always discriminated and dishonored in Indian society. Although various efforts have been taken to improve the status of women in India, the constitutional dream of gender equality is miles away from becoming a reality.

WOMEN HUMAN RIGHTS IN INDIA

The Indian Constitution Should be provided and Guaranteed for the Human Rights for women to best live with dignity in our society. These are

- ❖ Right to equality
- ❖ Right to education
- ❖ Right to live with dignity
- ❖ Right to liberty
- ❖ Right to politics
- ❖ Right to property
- ❖ Right to equal opportunity for employment
- ❖ Right to free choice of profession
- ❖ Right to livelihood

- ❖ Right to work in equitable condition
- ❖ Right to get equal wages for equal work
- ❖ Right to protection from gender discrimination
- ❖ Right to social protection in the eventuality of retirement, old age and sickness
- ❖ Right to protection from inhuman treatment
- ❖ Right to protection of health
- ❖ Right to privacy in terms of personal life, family, residence, correspondence etc. and
- ❖ Right to protection from society, state and family system.

VIOLATION OF WOMEN HUMAN RIGHTS IN INDIA:

We got 70 years of independence, India continues to have significant human rights problems despite making commitments to tackle some of the most prevalent abuses. I presenting this Article focus on the said these days that women in India are enjoying the rights equal to men. But in practically, the women in India have been the sufferers from past and even today also, they have to face discrimination, injustice and dishonour. Let us now discuss the crimes done against the women in spite of being given rights equal to men. These points will explain that continues violation of human rights of women in India. Even though strong laws at the national level, women and girls across India continue to suffer routine domestic violence, acid attacks, rape, and murder. The government has failed to hold public officials accountable when they fail to enforce policies designed to protect women and children..

Caste System

The Indian women exploited and discriminated from the society in their child hood days herself. The women in Indian society to always discriminate by men. The following crimes were done against the women in the recent times. The recent rape and murder of two teenage girls in a village of Budaun district of Uttar Pradesh followed by many other human rights violation and violence against women in same State has raised question mark on ability of State Government in handling the law and order situation and has generated widespread wrath. These human rights violations bring more shame to State by double assault of caste-based and gender-based discrimination. This unfortunate incident reminds people about gang rape of a young woman in Delhi in Dec. 2012. Backward classes face persistent discrimination and serious crimes are committed against them ranging from abuse on caste name, murders, arson, social and

economic boycotts etc. Between 2008 and 2010, more than 115,000 cases of atrocities were committed against them with an increase of 10.6% in 2009. As per Crime Statistics of India, every 18 minutes a crime is committed against SCs; every day 27 atrocities against them, every week 5 of their homes or possessions burnt and 6 persons kidnapped or abducted.

Devadasi System: Devadasis was a religious practice in some parts of southern India, in which women were married to a holy being or temple. In the later period, the illegitimate sexual exploitation of the devadasis became a norm in some part of the country.

Jauher : Jauhar refers to practice of the voluntary immolation of all wives and daughters of defeated warriors in order to avoid capture and consequent molestation by the enemy. The practice was followed by the wives of Rajput rulers, who are known to place a high premium on honour.

Purdah : Purdah is a practice among some communities of requiring women to cover their bodies so as to cover their skin and conceal their form. It curtails their right to interact freely and it is a symbol of the subordination of women.

SATI: Sati is an old custom in Indian society in which widows were immolated alive on her husband's funeral pyre. Although the act was supposed to be voluntary on throw widow's part, it is believed to have been sometimes forced on the widow.

VIOLATION OF HUMAN RIGHTS IN GENERAL

GENDER DISCRIMINATION

“Discrimination against the girl child starts the moment she enters into the mother's womb. The child is exposed to gender differences since birth and in recent times even before birth, in the form of sex – determination tests leading to feticide and female infanticide. The home, which is supposed to be the most secure place, is where women are most exposed to violence. If a girl child opens her eyes in any way, she is killed after her birth by different cruel methods in some parts of the country. In India, men are always assumed to be superior to women and are given more preference. The „World Human Rights Conference in Vienna“ first recognized gender – based violence as a human rights violation in 1993. The same was declared by „United Nations Declaration „in 1993.

VIOLATION OF RIGHT TO EDUCATION

Education is considered as means of development of personality and awareness. Education is one of the most important human rights but the position of women's education in India is not at all satisfactory. Young girls may be brought up to believe that they are suited only to certain professions or in some cases to serve as wives and mothers. Despite in the improvement in the literacy rate after independence, there continues to be large gap between the literacy levels of men and women. Almost half the women population are even unable to recognize language characters. At least 60 million girls lack access to primary education in India. Due to large percentage of uneducated women in India, they are not even aware of their basic human rights and can never fight for them.

VIOLATION OF POLITICAL RIGHTS

The political status of women in India is very unsatisfactory, particularly their representation in higher political institutions – Parliament and provincial Legislation which is of great under – representation which hampers their effective role in influencing the government initiatives and policies regarding women's welfare and development. Their representation has been unable to reach even 10% in Lok Sabha. Thus it is clear that: a) There is a male domination in Indian politics and almost all the parties give very little support to women in election despite their vocal support for 33% reservation of seats for women in Parliament and Provincial Legislation. b) Women have made initiatives in political participation but they have not been accepted in politics.

VIOLATION OF RIGHT TO PROPERTY

In most of the Indian families, women do not own property in their own names and do not get share of parental property. Due to weak enforcement of laws protecting them, women continue to have little access to land and property. In fact, some of the laws discriminate against women, when it comes to land and property rights. Though, women have been given rights to inheritance, but the sons had an independent share in the ancestral property, while the daughter's shares were based on the share received by the father. Hence, father could anytime disinherit daughter by renouncing his share but the son will continue to have a share in his own right. The married daughters facing harassment have no rights in ancestral home.

VIOLATION OF, RIGHT TO EQUAL OPPORTUNITY FOR EMPLOYMENT AND, RIGHT TO GET EQUAL WAGES FOR EQUAL WORK

The employment of the women in agriculture, traditional industries and in sizeable section of new industries is declining at a very fast rate. The reason is that the adoption of new technological changes requires new skill, knowledge and training. And women in India, who constitute a large share of world's illiterate lacks such skills and knowledge. The studies have also showed that for the same task, women are paid less than the males. Technological changes in agriculture and industry are throwing out women from the production process. The women workers are concentrated only for certain jobs which require so – called female skills. Thus, Indian labour market is adverse to women workers. It shows that, the role of women in large scale industries and technology based businesses is very limited. But even in the small- scale industries their participation is very low. Only 10.11% of the micro and small enterprises are owned by women today. Statistics show that only 15% of the senior management posts are held by the women. In agriculture where women comprise of the majority of agricultural labourers, the average wage of women on an average is 30 – 50 % less than that of men.

VIOLATION OF “RIGHT TO LIVE WITH DIGNITY” EVE TEASING AND SEXUAL ABUSE:

Eve teasing is an act of terror that violates a woman's body, space and self – respect. It is one of the many ways through which a woman is systematically made to feel inferior, weak and afraid. Whether it is an obscene word whispered into a woman's ear; offensive remarks on her appearance; any intrusive way of touching any part of women's body; a gesture which is perceived and intended to be vulgar: all these acts represent a violation of woman's person and her bodily integrity. Thus, eve teasing denies a woman's fundamental right to move freely and carry herself with dignity, solely on the basis of her sex. There is no particular places where eve – teasers congregate. No place is really “safe” for women. Roads, buses, train, cinema halls, parks, beaches, even a woman's house and neighborhood may be sites where her self – worth is abused.

VIOLATION OF RIGHT FROM SOCIETY, STATE AND FAMILY SYSTEM:

1) CHILD MARRIAGES :

Child marriage has been traditionally prevalent in India and continues to this date. According to the law, a girl cannot be married until she has reached the age of 18 at least. But the girl in India is taken as a burden on the family. Sometimes the marriages are settled even before the birth of the child. Parents also believe that it is easy for the child – bride to adapt to new environment as well as it is easy for others to mould the child to suit their family environment. Some believe that they marry girls at an early age so as to avoid the risk of their unmarried daughters getting pregnant. This shows that the reasons for child marriages in India are so baseless. Basically, this phenomenon of child marriage is linked to poverty, illiteracy, dowry, landlessness and other social evils. The impact of child marriage is widowhood, inadequate socialization, education deprivation, lack of independence to select the life partner, lack of economic independence, low nutritional levels as a result of early pregnancies in an unprepared psychological state of young bride. Around 40% child marriages occur in India. So, all this indicated that immediate steps should be taken to stop the evil of Child Marriage.

2) DOWRY HARASSMENT AND BRIDE BURNING:

The demand of dowry by the husband and his family and then killing of the bride because of not bringing enough dowry to the in – laws has become a very common crime these days. In spite if the Dowry prohibition Act passed 1961, by the government , which has made dowry demands in wedding illegal, the dowry incidents are increasing day by day. According to survey, around 5000 women die each year due to dowry deaths and at least a dozen die each day in “kitchen fires’.

3) RAPE:

Young girls in India often are the victims of rape. Almost 255 of rapes are of girls under 16 years of age. The law against rape is unchanged from 120 years. In rape cases, it is very torturing that the victim has to prove that she has been raped. The victim finds it difficult to undergo medical examination immediately after the trauma of assault. Besides this, the family too is reluctant to bring in prosecution due to family prestige and hard police procedures.

4) DOMESTIC VIOLENCE:

Wife beating, abuses by alcoholic husbands are the violence done against women which are never publicly acknowledged. The cause is mainly the man demanding the hard earned money of the wife for his drinking. But an Indian woman always tries to conceal it as they are ashamed of talking about it. The pity women are unwilling to go to court because of lack of alternative support system.

Conclusion:

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. The government(Central ,State and local) will be provide to all types of securities for violated women in the society and take needful action to do not violate of their rights. And all are give them to respects of women in our society by human nature to support them and encourage for freely independent living in our society.

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