

## Rights of women

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### Abstract

Women's rights is the fight for the idea that women should have equal rights with men. Over history, this has taken the form of gaining property rights, the women's suffrage, or the right of women to vote, reproductive rights, and the right to work for equal pay. Traditionally, domestic violence (DV) was mostly associated with physical violence. Domestic violence is now commonly defined broadly to include "all acts of physical, sexual, psychological or economic violence" that may be committed by a family member or intimate partner. Federal legislation has been enacted making domestic violence a crime, most notably the Violence against Women Act (VAWA). However, the vast majority of domestic violence offenses are prosecuted under state law. "Women's rights are human rights" is a phrase used in the feminist movement. It came to most prominence as the name of a speech given by Hillary Rodham Clinton, the First Lady of the United States, on 5 September 1995, at the United Nations Fourth World Conference on Women in Beijing. A fundamental principle of the United Nations Charter adopted by world leaders in 1945 is "equal rights of men and women", and protecting and promoting women's human rights is the responsibility of all States. The present paper is an attempt to explore the questions central to women's right in India that is fundamentally patriarchal in nature. The paper attempts to grapple with the few challenges faced by the women in India like the dowry, female foeticide, denial of inheritance rights, sale and trafficking of girls etc. The objective of the paper is to evolve strategies to empower women uniformed and men and women are two basic components of our human society. Towards the end of Vedic period (Post Vedic period) women were deprived of social and religious rights. There were not allowed to participate in social and religious functions. Gradually the position of women fell down to the extent that the birth of a girl was regarded as a curse in the family. During Buddhist period Lord Buddha regarded women a source of all evils a. Therefore women were allowed low status compared to males. The present study is related to status of women in Indian society from ancient days till today. It gives importance on the position of women in various fields like family life, social life and work situation. It highlights on female foeticide, low literacy level of women, women's low nutritional status, women's role in decision-making, their position as per Indian tradition etc. This paper also gives emphasis on number of women in total workforce, torture of them by men in family life, social life and in other fields where they are participants. Lastly it concludes on importance of women and role of society for the emancipation of women from male dominated society and their oppression and suppression. This paper aims to highlight the important role women have and can play in economic growth and Development. It also highlight the powers and rights of women in Modern India.

**Keywords:** women's, rights, problems, prospects, empowerment, challenges

### Introduction

Women emerged as a distinct interest group in the 19th century primarily because the bourgeoisie democratic revolutions of 17th and 18th century that excluded women from their concept of equality. This distinction was based on gender. Since then women as a commune had waged struggle for recognition of their rights as a human being. Women's execute multilateral role in the society i.e. as a breadwinner of her family, as a care taker of her family as a mother, wife, daughter and service provider to the society. In spite of the fact that the women's contribution to the country's development is equal to that of their male counterpart, still they experience a number of limitations that restrain them from comprehending their potential for expansion. It was against this background that the government's all over the world felt the need to prioritize the interests of women and their participation at every stage of the development process. Women as a core group of concern emerged as a major theme in the Millennium Development Goal. Mapping of Women's

Attaining equality between women and men and eliminating all forms of discrimination against women are fundamental human rights and United Nations values. Women around the world nevertheless regularly suffer violations of their human rights throughout their lives, and realizing women's human rights has not always been a priority. Achieving equality between women and men requires a comprehensive understanding of the ways in which women experience discrimination and are denied equality so as to develop appropriate strategies to eliminate such discrimination.

### Women Rights

- 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.
- Right to freedom of Speech
- Special Reservation in jobs and politics, particularly in defences

### **Aims and Objectives**

The objectives of the present paper is given as under:

- To provide information about the appropriate support services, government schemes available to the woman affected by violence
- The main objective of the scheme is to promote availability of safe and conveniently located accommodation for working women with day care facility for their children wherever possible in urban, semi urban or even rural areas where employment opportunity for women exist.
- To mobilize women in small viable groups and make facilities available through training and access to credits
- To provide training for skill upgrading
- To enable groups of women to take up employment-cum-income generation programs.
- To provide support for further improving training and employment conditions of women.
- To cater to the primary need of shelter, food, clothing, medical treatment and care of the women in distress and who are without any social and economic support.
- To enable them to regain their emotional strength that is affected due to their encounter with unfortunate circumstances.
- To provide them with legal aid and guidance to take steps for their readjustment in family or society. To rehabilitate them economically and emotionally.
- To enable them to start their life as fresh with dignity and conviction.
- To providing a nursery where babies and young children are cared for during the working day. Employment of women has resulted in increased opportunities for their employment and more women are now working within or outside their homes.
- To strengthen the conceptual and programmatic basis of women-centric schemes implemented. Training & Capacity Building to enhance and strengthen understanding of gender issues, build a Resource Pool (trainers) at the National and State level to bridge gaps between knowledge and practice will be the other focus area of NMEW.

### **Women Empowerment Schemes**

- Beti Bachao Beti Padhao Scheme

- One Stop Centre Scheme
- Women Helpline Scheme
- Ujjawala: A Comprehensive Scheme for Prevention of trafficking and Rescue, Rehabilitation and Re-integration of Victims of Trafficking and Commercial Sexual Exploitation
- Working Women Hostel
- Rajiv Gandhi National Creche Scheme For the Children of Working Mothers
- Ministry approves new projects under Ujjawala Scheme and continues existing projects
- Swadhar Greh (A Scheme for Women in Difficult Circumstances)
- Revision under IGMSY in Accordance with National Food Security Act, 2013 in XIIth Plan
- Support to Training and Employment Programme for Women (STEP)
- Nari Shakti Puraskar
- Awardees of Stree Shakti Puruskar, 2014 & Awardees of Nari Shakti Puruskar
- Awardees of Rajya Mahila Samman & Zila Mahila Samman
- Archived Maternity Benefit Programme
- Mahila police Volunteers
- Mahila E-Haat
- Aganwari.....Asha.....

### **Welfare Schemes for Women**

Many welfare schemes for women are implemented by Government of India, State Governments and Union Territory Administrations. The details of major schemes under implementation by Ministry of Women and Child Development for the welfare of women are as under:-

- i. Rajiv Gandhi National Creche Scheme for the Children of Working Mothers (RGNCs) provides day care facilities to the children in the age group 0-6 years from families with monthly income of less than 12000/-. In addition to being a safe space for the children, the crèches provide services such as supplementary nutrition, pre-school education and emergency health care, etc.
- ii. Central Social Welfare Board: The main women welfare related schemes and programmes being implemented by CSWB are family counselling centres, awareness generation programme and condensed courses of education for women.
- iii. National Mission for Empowerment of Women (NMEW) is an initiative of the Government of India for empowering women holistically. It is a Centrally Sponsored Scheme sanctioned in April 2011 and acts as an umbrella Mission with a mandate to strengthen inter-sectoral convergence.
- iv. Working Women's Hostel (WWH) Scheme envisages provision of safe and affordable hostel accommodation to working women, single working women, women working at places away from their home-towns and for women being trained for employment.
- v. Support to Training and Employment Programme (STEP) for Women was launched as a Central Sector Scheme during 1986-87. It aims at making a significant impact on women by upgrading skills for self and wage employment. The target group includes the marginalized asset less rural

- women and urban poor.
- vi. Rashtriya Mahila Kosh (RMK) with a corpus of Rs.100 crore extends micro-finance services to bring about the socio-economic upliftment of poor women.
  - vii. Indira Gandhi Matritva Sahyog Yojana (IGMSY) is a Conditional Cash Transfer scheme for pregnant and lactating (P&L) women introduced in the October 2010 to contribute to better enabling environment by providing cash incentives for improved health and nutrition to pregnant and nursing mothers.
  - viii. Swadhar Scheme: The Ministry of Women and Child Development had been administering Swadhar scheme since 2001 for Women in difficult circumstances. Under the Scheme, temporary accommodation, maintenance and rehabilitative services are provided to women and girls rendered homeless due to family discord, crime, violence, mental stress, social ostracism. Another scheme with similar objectives/target groups namely Short Stay Home (SSH) is being implemented by Central Social Welfare Board.
  - ix. Ujjawala is a comprehensive scheme for prevention of trafficking and rescue, rehabilitation and reintegration of victims of trafficking for commercial sexual exploitation. This was stated by Smt. Krishna Tirath, Minister for Women and Child Development in a written reply to the Rajya Sabha today.

**Missing of girl child:** The idiom “missing women” was for the first time used by Prof. Amartya Sen, the Nobel winner, when he showed that in many developing countries the proportion of women as compared to men in the population is suspiciously low. The lopsided sex ratio in many states in India is one of the main reasons because of which women, and girls, go ‘missing’. The girls from the poor families in India are sold off by the brokers to the men’s in particularly in Northern India where the problem of imbalanced sex ratio is very much evident. Apart from these there are cases of women going missing from their marital homes.

**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. “The role of husband’s reaction to dowry brought at the time of marriage on subsequent experience of marital violence. The substantially reduced risk of experiencing physical and sexual violence among women whose husbands were satisfied with the dowry reflects the strong influence of dowry in determining women’s position within the household”

**Domestic Violence:** In India the ‘Dowry Prohibition Act and the Protection of Women from Domestic Violence Act and cruelty under Section 498 A of the Indian Penal Code in 1983’<sup>4</sup> declares brutality to a woman in her conjugal house a punishable and non bailable offence that can lead to a sentence of up to three years and fine.

**Sati:** Even though Sati, an action whereupon the exercise of

setting widows on the funeral pyres of their spouse, was barred in the pre-colonial India by social reformer Raja Rammohan Roy, but this practice continued to prevail in post-colonial India.

**Child Marriage:** In India although there exist a law barring the marriages of children at primitive age, but it is still being practised in different parts of India. Child marriage takes away from a girl child the innocence of her formative years of life necessary for physical, emotional and psychological development. Spousal violence especially sexual violence perpetrated by husbands has severe effect on the innocent mind and body of the child. Even today in India a number of children’s are married off on the auspicious day of Akas Teej in Rajasthan.

**Preference for a son:** 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.

**Female foeticide:** The low status of women goes on with the practice of infanticide, foeticide, sex-selective abortion which has become common due to the amniocentesis technology, and mal-nourishment among girl children. In India it is estimated that around “10 million female fetuses have been aborted in the last 20 years.

**Education:** Education is one of the most critical areas of empowerment for women. Although the right to education under Article 21 of the Indian Constitution have made it compulsory for the government to provide free education to everybody, the high rate of women’s education is still a distant dream. In spite of the fact that Sarva Shiksha Abhiyan to an extent has been successful in bringing the girl child back to the schools, yet their retention rate in the school is lower as compared to their male counterpart. In fact it has been found that there is a gradual drop out of the girl students as they move up to the higher classes. This is particularly true in the rural areas in India. The main reasons associated with this is that the parents expects girls to look after the siblings while they are at work, working with the parents as seasonal labour during the cultivation period and managing the household work while the parents are at work, the parents take more interest in boys education as against the girls as they feel that the girls are to be married off, increasing cost of education etc. Thus the universalization of primary education in India remains a remote daydream for the women.

**Rape:** In India there has been a significant increase in the numbers of rape cases in the last 10 years. According to National Crime Records Bureau, in 2012, 25000 rape cases were reported. In India in the rural areas, particularly in Northern India, the upper caste people use mass rapes as a strategy to have power over the members of the lower caste groups. The brutal gang rape case in Delhi had led to the passage of a stricter Law i.e. The Criminal Law (Amendment)

Act 2013 to deal with the rape cases in India.

### **Protection of Women's Human Rights by the Constitution of India**

The constitution of India confers special rights upon women. The constitution makers were well aware of the subordinate and backward position of women in the society. They made some efforts for uplift of women in our society. The state is directed to provide for maternity relief to female workers under Article 42 of the Constitution, whereas Article 51-A declares it as a fundamental duty of every Indian citizen to renounce practices to respect the dignity of women. Indian Parliament has passed the Protection of Human Rights Act, 1993 for the proper implementation of Article 51-A. Indian Parliament over the years have taken significant steps for through legislations to achieve the goal of empowering the women in India. The significant among them are the Equal Remuneration Act, the Prevention of Immoral Traffic Act, the Sati (Widow Burning the rights of) Prevention Act, and the Dowry Prohibition Act etc. Apart from these, the 73rd and 74th Constitution (Amendment) Acts<sup>14</sup> provided for 33% reservation for women in both panchayat and Nagarpalika institutions as well as for the positions of chairpersons of these bodies. These two amendments removed the bottlenecks from the paths of women empowerment at the local level. In fact it has been found that the Karnataka sends maximum number of women to the PRIs followed by Kerala and Manipur. In order to facilitate equal participation of women at the national and state level politics, the bill providing for 33% reservation of seats for women in national and States legislatures has been introduced in Parliament<sup>15</sup>. Besides this, the government in India have enacted a variety of laws like Dowry Prohibition Act, Sati prevention Act etc to guarantee the rights of the women.

### **Strategies of Women 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 counselling and a connection among the women's who were victimized.

Violence against women can be curtailed only when cultural norms and attitudes towards the women can be changed for

which change should be made in the school curriculum. Curriculum that educates the students at the school, college and university level on issues like human rights and gender issues should be included in their study material. "Curriculum reform that works towards eliminating the gender stereotyping in schools (teaching about women's contributions in history class, eliminating sex stereotypes in textbooks, promoting girls participation in sports) are important steps in achieving gender equality."

### **Summing Up**

Most of the women writers have tried to highlight the role and problems of women in all their novels. The present paper discusses the role of women played in the family. Each and every human being is a member of family, which is the smallest cell of society. It provides some degree of mutual caring and sharing that transmits knowledge, values and material benefits from generation to generation. As infants and small children we learn from our families the patterns of behavior that affects all our later relationships both with other members of the family and with the society as a whole. Families continue to be society's most basic and pervasive organization. In the process of delineating her fictional characters, Deshpande reveals their frustrations, their strong sense of isolation; their agony and despair, their reflective self-awareness and their sincere effort to achieve integration of their fragmented "self". It is natural that in the act of delineating the world of women, different aspects of feminine life should find expression in her novels. Deshpande's women protagonists emerge from a male-dominated society which is conservative in its outlook of life. Educated as these women are, they are conscious of their individuality and desire to live their lives according to their own frame of values, but the socio-cultural values which they imbibe from tradition, bring them into conflict with their own set of values and cause alienation and fragmentation of their personality. Shashi Deshpande has projected well the emotions and experiences of woman as a wife, mother and as an individual facing psychological and sociological problems. She concerns herself with the plight of the modern Indian woman trying to understand herself and to preserve her identity as wife, mother and above all as a human being.

Shashi Deshpande portrays modern, educated and career-oriented middle class women, who are quite sensitive to the eternal changing time and situations. Her women are aware of the cultural and social shortcomings to which they are subjected in this male-dominated society. They rebel against their men in search for freedom and identity, but ultimately find themselves up against well-entrenched social inertia. Quite aware of the predicament of a woman in this male-chauvinist society, especially when she is not economically independent, the author presents her women's longing to become economically and ideologically independent. She finds her women caught up in a conflict between their family and professional roles, between individual aspiration and social demands. Her women stand at the cross roads of traditions. They seek change but within the cultural norms, seek not to reinterpret them, but merely make them alive with dignity and self-respect. Her women seek anchorage in marriage. They look at it as an alternative to the bondage

imposed by the parental family and opt for it. They strongly believe in conformity and compromise for the sake of the retention of domestic harmony rather than revolt, which might result in the disruption of family relationships.

These women strive heroically to overcome their cultural conditioning and the barriers created by society in matters of tradition and manners. They finally emerge as free, autonomous individuals, no longer content to be led, but desirous of taking a lead. In the Indian context, an ideal of self-hood in a woman requires to take into consideration the institution of marriage, wifehood and motherhood. Formerly these were the only identities women had. Even woman who wanted an identity of their own, were required to fulfill these three stages in life. Even today, women seek an identity of their own mostly within the family circle, without unduly disturbing the status-quo of the Indian family set up. Women are seen to function as individuals within the familial background.

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, honour 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.

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