

Human Rights- Hypothetical For Women In India

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Citation: Miss. Reena Aney, Dr Samy (2024) Human Rights- Hypothetical For Women In India, *Educational Administration: Theory And Practice*, 30(2), 718-721

Doi: 10.53555/kuey.v30i2.1864

Introduction-

To understand the meaning of human rights, first we need to understand the term 'rights'. Rights are the claims made of all human being for self-development. The rights are the claims of the individual recognized by the society and enforced by the state. According to Harold Laski a British political theorist, "Rights are those conditions of social life without which no man can seek in general, to be himself at his best." T. H. Green explained, "Rights are powers necessary for the fulfillment of man's vocation as a moral being." According to Dworkin, "Human rights are the claims which cannot be denied to an individual for the welfare of the society by the government". These rights are standards that **recognize and protect the dignity of all human beings**. They govern how individual human beings live in society and with each other, as well as their relationship with the State and the obligations that the State have towards them. Above made references are enough to through light on the importance of Human Rights for every human being. In addition, all the rights are bestowed upon women in India if the society considers women as human beings. But if we go through the news channels, newspapers we observe that everyday there are issues like dowry deaths, acid attacks, rape, human trafficking of minor girl children, child marriages and what not? This article is to shed light on the issues faced by women in India and the need to create awareness in the society about the above-mentioned issue.

Origin of human rights- The father of political science, Greek thinker Aristotle explained the ultimate aim of political system of any Nation is to create such an atmosphere in which human beings live the best life. The Magna Carta of 15 June 1215, enforced by King John of England, gave birth to the term human rights. Magna Carta is a Latin word. It means the supreme charter. Sixty-three articles have been included in the Magna Crata. Further incidents responsible for global change such as, Russian revolution [1917], French revolution [1789] American freedom struggle [1776] expanded the dimensions of the term human rights.

Human rights originated from the theory of Natural Rights formulated by ancient Stoic, Greek philosophers. Human rights are assumed as modern form of Natural rights. Thomas Hobbs [1588-1679] has elaborated stoic principal in his book named 'Leviathan'. [John Lock 1632-1704] expanded the idea of natural rights in his book, 'Two Treaties of Government'. The Universal Declaration of Human Rights, which was adopted by the UN General Assembly on 10 December 1948, was the result of the experience of the Second World War. "Justice and prestige to all" is in important motto of human rights.

Indian Women and Human Rights- It has been mentioned in the constitution that, six fundamental rights have been awarded to every human being by birth in India. They are **Right to Equality, Right to Freedom, Right against Exploitation, Right to Freedom of Religion, Cultural and Educational Rights, and Right to Constitutional Remedies**. Universal declaration of human rights 1967 took measures for crime against women. It stated that only the declaration of rights would not be enough to give freedom and equality to women in real sense. So that facilities in the field of education, health, job opportunities were promised by the declaration to women. The UN declared the year 1975 as The International year for women. For the first time in history, an action plan has been prepared to fight against problems related to women and to repel out the problems. The decade, 1976 to 1985 has been declared as 'International Decade for Women'. An important document known as **CEDAW- convention to the elimination of all forms of Discrimination against Women was included in the program**.

Durgabai Deshmukh committee for educating women – Chaired by Durgabai Deshmukh the National Council of women was established in 1958. Following report has been presented by the commit in 1959.

1] Highest preference to be given to women education. 2] Centre and state govt. should take courageous decisions for the same. 3] National council for Education for Girl and Women needs to be established. 4] Girls should get scholarship for education. 5] Hostel facilities should be provided to women.

National Scheme for primary education of Girls- In July 2003 to promote education for girls in backward places in India, model group schools were started under the flagship program SSA- Sarv Shiksha Abhiyan of Govt. of India. The main motif of the project is to make girls confident and independent and to promote life and professional skills among them.

Policies for Women of state of Maharashtra- 2004-After the heinous incident of Nirbhaya in Delhi, State of Maharashtra declared policy to protect women in 2004. The objectives of the policy are- 1] need to change male dominating mentality. 2] Efforts to be made to create more cordial relation between men and women. 3] Efforts to be done to give protection to women's liberty and to let them live their life according to their own will. 4] House holds cores of homemakers to be honored. 4] Efforts to be made to create an environment at home and at workplace for women where they can utilize all their potential.

We have taken a review of few acts and various committees to protect women rights. Do we really agree that all the women in India enjoy the rights mentioned above? We need to introspect to get the answer to this question. Let us discuss problems of Indian women, which they are facing.

Child Marriages-

According to the World Bank, the most recent value of the female population in India is 48.0%. According to the National Family Health Survey, **40%** of the world's 60 million child marriages take place in India. West Bengal, Bihar and Tripura top the list with more than 40% of women aged 20-24 years married below 18, according to **National Family Health Survey**. In the case of child marriages, girl's consent for marriage does not matter. Can we say that these girls have right to freedom?

Female feticide-

More than 10 million female fetuses may have been illegally aborted in India since 1990s, and **500,000 girls were being lost annually due to female feticide**. Even the reproductive rights have been denied to her. In most of rural families, women are forced to give birth though her physical condition deteriorates only because the elders in the family or the husband need a male child.

Supreme Court Judge, Justice Sikri, said at a symposium -- Reproductive Rights in Indian Courts: Celebrating Progress, Identifying Challenges and Discussing the Way Forward-- organized by the Jindal Global University (JGU)-

"When we talk of reproductive rights in this country, then there is hardly any choice so far as the woman is concerned ...I can't help but wonder how we as humans have failed humanity."

Forced Prostitution of Minor girls and human trafficking - Indian authorities have Sections 366(A) and 372 of the Indian Penal Code, prohibiting kidnapping and selling minors into prostitution respectively, to arrest traffickers. **Still we find in India every 40 girls under the age of 15 are forced into prostitution.**

Acid Attacks- According to India's National Crime Records Bureau data, there were more than 1,000 acid attack cases reported in the country between 2017 and 2021. The numbers fell from 249 attacks and 67 attempted attacks in 2019 to 176 attacks but 73 attempted attacks in 2021. The most common reasons for attacks on women and girls are the refusal of marriage, the denial of sex, and the sexual rejection of men and boys. It is an expression of control over women and girls' bodies.

Domestic violence- Violence within the confines of the home continues to be a serious concern with the National Commission for Women registering over 6,900 complaints in the 'protection of women against domestic violence' category in 2022. We have the fear of society. As a social animal, we need approval for every single act of ours from the society in which we live and due to that, we never raise our voice against any bad happening to us. The woman in the family keeps her mouth shut and bears the inhuman treatment given to her by the husband and the members of her family. Even her maternal family suggests not complaining against her in-laws and keeping trying to please them. Her own parents do not support her to fight against the evil.

Dowry Deaths- Number of reported dowry death cases in India 2005-2021. In 2021, reported dowry death cases in India amounted to **nearly 6.8 thousand**. In India, bride's father bears the expense of the marriage ceremony. Why the father of the girl only will pay for the marriage ceremony? In addition, he has to pay 'Vardakshina' – Dowry. The girls are also highly educated and earning equally to men nowadays. They have secured a good position in the society by working as doctors, engineers, astronauts, and what not. Still the father pays Vardakshina. Surprising!

Sexual harassment of women at workplace- It is unlawful to harass a person (an applicant or an employee) because of that person's sex. Harassment can include "sexual harassment" or unwelcome sexual advances, request for sexual favors, and other verbal or physical harassment of a sexual nature. It is a heinous act to consider a fair sex as a sex doll. With regret, we have to mention the fact that women at workplace are facing ridiculous treatment. Male companions pass unjust comments at her appearance. Do the women in 21st century require permission from her male companions at workplace for her dressing habits or to dress herself in a particular manner as she likes? How absurd the situation is? How many victims raise voice against such type of treatment given to them? The woman keeps mum due to fear to lose the job, the fear to be ridiculed by the society and after the entire woman is only to be blamed by the so-called Indian society.

Need of Revival of Human Rights for women in India- Above discussed problems are enough to state that women in India are leaving a miserable life and to protect their human rights the society needs to be awakened. Many acts are being formulated to protect women's rights and to give them an equal status in the society. On the other hand, crime rate against women in India is increasing day by day. Agencies like International human rights commission, National human rights commission of India, state human rights commission and National women rights commission are working to empower women and to protect them and their rights. There is a need to bring awareness in the society about the above-mentioned cause. According to World Health Organization, every year near about 1000 female lose their lives due to lack of proper knowledge about the acts and laws formulated for their protection. If they have been educated about they can achieve better health and can improve their social status. They can even help to improve the situation of other women in the society. Following measures to be taken to protect and to revive human rights for women in India.

- 1] Woman needs to prove her independent existence. Financial independence is the most important aspect for a female.
- 2] She needs to gain knowledge about the laws and acts formulated by Government for her safety.
- 3] Separate NGO's and other agencies need to be established for the welfare of women.
- 4] Women cells need to be devised in every state.
- 5] Efforts are needed to develop an addiction free society.
- 6] Every woman or girl, no matter whether she belongs to rural area or urban, must be well educated.
- 7] Criminals involved in crime against woman must get rigorous punishment.
- 8] Government should encourage institutions, which run women develop programs.
- 9] Shelter home for women should be financially supported and protected.
- 10] Financial schemes should be devised by the government to help needy women for their progress.
- 11] Social media, T.V. channels and the literature should be used to create awareness amongst women about their welfare.
- 12] Woman must be conscious about her own self. Leaders, teachers, social reformers and the thinkers of the society should raise voice against crimes and evil practices against women.
- 13] Men and women are two wheels of a balanced society. For the smooth functioning of family, both wheels should be equally strong to maintain and bear the balance. Therefore, it becomes necessary to revive human rights for women.

Women empowerment is possible by the empowerment of women only. Woman should be aware of her own self-esteem and use her intellectual, creative powers to rejuvenate the society. She must maintain her dignity and self-respect.

Ex-prime Minister Honorable Atal Bihari Vajpayee said in the sixth cabinet meeting of women affairs that, "It is very important to ensure the human rights of women to protect the basic rights of all the citizen of Democratic India. It resulted in the formation of Parivarik Mahila Lok Adalat PMLA by National women Commission." The commission proposed 72 women welfare courts during its short tenure. More than 200 cases have been solved by these courts.

A conclusion can be drawn based on above made discussion that, we have definite, well-defined laws to protect women. Women from rural as well as urban areas need to be educated about the system, rights and laws, which have been formulated for their safety and security. They should not only know the laws but also should use them as and when required.

In India, we worship goddesses. The goddess represents the female energy that is omnipresent in the universe. A domestic goddess knows how to nurture her family. She plays varies roles to perform her duties for her family and for society also. The society should needs to understand the fact that all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of equality. At the end, we must agree the fact that, the dream to become a developed nation will not come true if this incarnation of goddess will be deprived of her rights.

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