



A study of women's human rights in India

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Abstract

Women are the largest minority in the world and suffer suppression of personality. Women also have the right to life and liberty; they also have the right to be respected and treated as equal citizens. Their honor and dignity cannot be touched or violated. Absolute poverty and the feminization of poverty, unemployment, the increasing fragility of the environment, continued violence against women. The advancement of women and the achievement of equality between women and men are a matter of human rights and a condition for social justice and should not be seen in isolation as a women's issue.

Keywords: women, human rights, equality, empowerment

Introduction

The human rights are the modern name for what had been traditionally known as natural rights in India, Greece, Rome and elsewhere. Notwithstanding all the polemics of natural law jurists, the condition of woman all over the world remained greatly unchanged. She was still in the shackles though she had known of the "natural rights of man" through the philosophy of natural law. Women are the largest minority in the world and suffer suppression of personality. Women, despite the printed rhetoric, suffer discrimination and indignity so damnable that dehumanization is the gender reality of India.

Unfortunately, a women in our country, belongs to a class or group of society who are in a disadvantaged position on account of several social barriers and impediments and have, therefore, been the victims of tyranny at the hands of men with whom they, fortunately, under the constitution enjoy equal status. Women also have the right to life and liberty; they also have the right to be respected and treated as equal citizens. Their honor and dignity cannot be touched or violated. Women in them, have many personalities combined. They are Mother, Daughter, Sister and wife and not play things for center spreads in various magazines, periodicals or newspaper nor can they be exploited for obscene purposes. They must have the liberty, the freedom and, of course, independence to live the role assigned to them by the nature so that the society may flourish as they alone have the talents and capacity to shape the destiny and character of men anywhere and in every part of the world¹.

Each such incident results in violation of the fundamental rights of 'Gender Equality' and the 'Right to Life and Liberty'. It is a clear violation of the rights under Arts. 14, 15 and 21 of the constitution. The Supreme Court has observed that gender equality includes protection from sexual harassment and right to work with dignity, which is a universally recognized basic human right. The common minimum requirement of this has received global acceptance. The International Conventions and norms are therefore of

great significance in the formulation of the guidelines to achieve this purpose. It is necessary and expedient for employers in work places as well as other responsible persons or institution to observe certain guidelines to ensure the prevention of sexual harassment of women². The High Court observed³ that in the present day setting role of women cannot be marginalized. The United Nations has been taking a pivotal role in the global sphere for women rights. Equality between the man and women is given immense emphasis. Number of treaties namely, convention of political rights of women, the convention of the nationality of married women, the convention of recovery of maintenance from abroad, the convention of consent marriage, elimination of discrimination against women and declaration of elimination of violence against the women 1993 and such other treaties have come into existence. Absolute poverty and the feminization of poverty, unemployment, the increasing fragility of the environment, continued violence against women and the widespread exclusion of half of humanity from institution of power and governance underscore the need to continue the search for development, peace and security and for ways of assuring people-centered sustainable development. The participation and leadership of the half of humanity that is female is essential to the success of that search. Women are the key contributors to the economy and to combating poverty through both remunerated and unremunerated work at home, in the community and in the workplace. Women make a great contribution to the welfare of the family and to the development of society, which is still not recognized or considered in its full importance. The social significance of maternity, motherhood and the role of parents in the family and in the upbringing of children should be acknowledged. Maternity, motherhood, parenting and the role of parents, women in procreation must not be a basis for discrimination nor restrict the full participation of women society.

The evil of dowry system has been a matter of serious concern to everyone in view of its ever-increasing and disturbing proportions. The alarming increase in cases relating to

harassment, torture, abetted suicide the dowry death of young innocent brides has always sent shocks waves to the civilized society but unfortunately the evil has continued unabated. Awaking of the collective consciousness is the need of the day. Change of heart and attitude is needed. A wider social movement not only of educating women of their human rights but also of the men folk to respect and recognized the basic human values is essentially needed to bury this pernicious social evil. The role of the courts, under the circumstances, assumes a great importance. The Courts are expected to deal with such cases in a realistic manner so as to further the object of the legislation. The evidence as to harassment to the wife to meet any unlawful demand for money is necessary to constitute cruelty in criminal law. The conscience of the society needs to be fully awakened to the evils of the dowry system so that the demand for dowry itself should lead to loss of face in the society for those who demand it. Our young and enlightened women would rise to the occasion to fight the evil which tends to make them articles of commerce. It is also hoped that our educated young males would refuse to be sold in the marriage market and come forward to choose their partners in life in a fair manner. The establishment of a committed and sincere machinery to implement the Act and the rules can hasten the eradication of the evil. The Union of India and the State Governments are directed to devise means to create honest, efficient and committed machinery for the purpose of implementation of the Dowry Prohibition Act, 1961 and the various Rules framed thereunder.

The full realization of all human rights and fundamental freedoms of all women is essential for the empowerment of women. The boundaries of the gender division of labour between productive and reproductive roles gradually being crossed as women have started to enter formerly male-dominated areas of work and men changes in women's roles have been greater and much more rapid than changes in men's roles.

The human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social, and cultural life at the national, regional and international levels, and the eradication of all forms of discrimination on the grounds of sex are priority objects of the national and international community. The nation's children are a supremely important asset. Their nurture and solicitude are our responsibilities. Children's programmers should find a prominent part in our national plans for the development of human resources, so that our children grow up to become robust citizens, physically fit, mentally alert and morally healthy, endowed with the skill and motivations needed by society. Equal opportunities for development to all children during the period of growth should be our aim, for this would serve our large purpose of reducing inequality and ensuring social justice⁴. To enable feathering of a confident and vibrant woman, the child must be groomed well in the formative years of her life. She must receive education, acquire knowledge of woman and materials and blossom in such an atmosphere that on reaching age, she is found to be a woman with a mission, a woman who matters so far as the society is concerned.

A healthy body is the very foundation for all human activities.

In a welfare State, therefore, it is the obligation of the State to ensure the creation and the sustaining of conditions congenial to good health. Every man, women and child has the inalienable right to be free from hunger and malnutrition in order to develop fully and maintain their physical and mental faculties. Society today already possesses sufficient resources, organizational ability and technology

The growing strength of the non-governmental sectors, particularly women's organization and feminist groups, has become a driving force for change. Non-governmental organizations have played an important advocacy role in advancing legislation or mechanisms to ensure the promotion of women. They have also become catalysis for new approaches to development The media have a great potential to promote the advancement of women and the equality of women and men by portraying women and men in a non-stereotypical, diverse and balanced manner, and by respecting the dignity and worth of the human persons The advancement of women and the achievement of equality between women and men are a matter of human rights and a condition for social justice and should not be seen in isolation as a women's issue. Empowerment of women and equality between women and men are prerequisites for achieving political, social, economic, cultural and environmental security among all peoples. Gender equality and women empowerment enable women to contribute equally to peace and prosperity to the nation.

References

1. In *Bodhisattwa Gautam V. Miss Subhra Chakraborty*, AIR 1996 SC 922 AIR SCW. 1996, 325.
2. *Bodhisattwa Gautam V. Miss Subhra Chakraborty*, AIR 1996 SC 922 AIR SCW, 1996, 325.
3. *M.P. Human Rights Commission v. State of M.P. and others*, AIR M.P., 239, at. 2002; 244:45.
4. *Sheela Barse, another V. Union of India and others*, Air SC, 1986-1773.