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Human Rights and Women's Plight

Mr Surendra Kinhikar

Assistant Professor,
Department of Political Science
Smt R S College, Anjangaon Surji,
Dist Amravati - 444705
Email: skinhikar2@gmail.com

Dr Chaturanand Kedar

Assistant Professor, Dept of English
Smt R S College, Anjangaon Surji
Email: drchaturanandkedar@gmail.com

Abstract:

Human rights are simply defined as the rights to allow a person to live as a human being. Human rights are essential in the case of women because since ancient times in India, women have been deprived of all rights. Due to patriarchal system in India, male dominance was rampant everywhere. Though social reformers took efforts to get the rights of women, their rights are violated many times. Two World Wars took place in the 20th century in which human rights were violated on a large scale. On December 10, 1948, most countries of the world adopted the Universal Declaration of Human Rights. UNO sets some parameters of human rights which are related to equality. However, in India, still there is no equality regarding human rights today. Laws, schemes, women's commissions, organizations to prevent violence against women have failed today. As a result, oppression, depression and violence against women are increasing day by day. Therefore, it is necessary to create awareness among women and make them aware of their rights today. To fight for their rights is the need of an hour. Many literary writers have also exposed the plight of Indian women through their writings. They raised voice against women's oppression, depression and exploitation in the society.

Keywords: Human rights, humanism, plight, depression, violence, victim, molestation, sexual abuse, harassment

Concept of Human Rights:

Human rights are natural and every human being should be provided with these rights by the political system. This idea was proposed in a very ancient time. But human rights are not natural. They are made available by the political system. Therefore, another idea was put forth that man should have as much rights as the political system will give. This notion was proposed against the previous natural rights. We need to think about which type of view should be given priority in terms of human rights.

Establishing Human Rights at the Global Level :

Human rights are violated at a large scale during the two World Wars. Seeing this, intellectual thinkers who support human rights put pressure on the world's most powerful nations to make them take notice of human rights. As a result, the General Assembly of the United Nations created the Charter Act of Human Rights on June 26, 1945. This event is recognised as the first step or first attempt made by the nations of the world regarding human rights. From this date, various countries of the world began to look sympathetically towards human rights. UNO believes that this Universal Declaration of Human Rights will serve as a benchmark for all countries in the world to achieve their goals.



The Parameters Set by UNO for Human Rights are as Follows:

- ❑ According to the criteria of human rights, all human beings are born free and equal and have equal dignity and rights.
- ❑ Everyone has the right of freedom and there will be no discrimination like religion, race, caste, language, colour, socio-political, socio-economic and other thought streams, wealth, and status.
- ❑ Every person has the right to live independently and to personal security.
- ❑ No person shall be held in slavery or servitude.
- ❑ No person shall be harmed or harassed.
- ❑ No cruel, abusive treatment and punishment will be done.
- ❑ All are equal before the law and shall be entitled to equal protection by the law without any discrimination.
- ❑ Everyone has the right to live and correspond anywhere in the country.
- ❑ Every human being has the right to freedom of thought and religion. Conversion in religion is also a right. It also includes spreading and propagating religion.
- ❑ Every citizen has the right to participate in the governance of his country and be represented through elections.
- ❑ Getting education, primary and basic education shall be compulsory and free of charge.

All the above rights are associated with the rights to equality, but the Indian political system has completely failed to create an atmosphere in the society where these rights can be enjoyed by all. In Indian social system, the caste system has become a very big obstacle in achieving equal rights and dignity for all. Because, we could not break the shackles of caste even in the 21st century, rather they are made much stronger. Hence, we could not create equality regarding human rights.

Current Status of Women' Plight:

Maharashtra, a progressive state which proudly tells the legacy of Shahu Maharaj, Mahatma Phule and Dr Babasaheb Ambedkar, where the oppressions against women in many forms such as feticide, child exploitation, family violence, dowry, sexual harassment, molestation, rape are increasing even today. According to the report published in 2013, crime in Maharashtra has increased by 46.08% as compared to other states of India. The statistical data revealed in this report is frightening and alarming. In Maharashtra, 17,800 cases of violence against women were reported in 2012. It increased by 14% in 2013. 26129 crimes have also been registered during the same year. In the state, 3063 cases of rape followed by 2632 cases of child abuse, 8132 cases of molestation, 8542 cases of domestic violence by in-laws and 1874 cases of kidnapping and abduction have been registered in the state. 320 married women became victims of dowry death. The most alarming thing is that the ratio of girls in rape cases is 50.70% and 1556 girls' rape cases have been registered. Total 3,09,546 cases of violence against women are marked in the entire country in 2013. In an average, 448 incidents of violence against women occur every day i.e. 35 incidents per hour and one incident every minute are reported by the police station. Nearly, 2808 women become victims of rape every month. This means that 94 women became the victims of rape every day. In 2013, 118866 incidents of inhumane torture by husband or relatives were recorded in the police station. The average number of entries per month is 674 which mean 23 dowry cases per day. In 2013, 10709 harassment cases were reported for dowry. That means 812 cases per month, 297 cases per day and 12 cases of harassment per hour.

In 2014, more than three and a half thousand cases of rape have occurred. The crime conviction rate in molestation cases was quite



lower. In 2011, it was only 7.7%, in 2012, it was 8.9% and in 2013, it reached to 11.9%.

According to the survey of Maharashtra Vimukt Bhatkya Samaj Seva Sangathan, it was found that a widow or divorced women of the Nathpanthi Dwari Gosavi community still cannot remarry an unmarried man. The reason may be their illiteracy as majority of these women are illiterate. 51% of these women are widows. About 60% of these people are still living a nomadic life, isolated from the development process. Thane, March 2015, a pregnant woman was kicked out of the hospital as she couldn't pay its bill and her baby died shortly after giving birth at the campus of this hospital. This incident is a satin on humanity.

According to the National Commission for Women's report, the year 2020 recorded six-year high complaints of abuse against women i.e. 23,722 cases filled. 1/4 of those complaints are related to domestic violence. 11,872 from Uttar Pradesh, 2635 from Delhi, 1266 from Haryana, 1288 from Maharashtra, so, the total number of complaints are 23,722. Out of these 7708 complaints are on the issue of rights to live with dignity. It means behaving with respect for women's feelings. Out of total complaints, 5294 complaints are related to domestic violence. The report also highlighted that the lockdown caused by COVID-19 have left women with little opportunity to file complaints of domestic violence. Apart from this, information about the complaints ignored by the police has also been given in this report. It has noted 3784 complaints of harassment for dowry, 1679 complaints of molestation. Out of these 1276 complaints have been ignored by the police and 704 complaints are related to cyber crime. 1284 complaints are related to rape and 376 complaints of sexual harassment. This objective report shows that in spite of strict laws, we have not been able to prevent violence against women by December 2020. We couldn't even prove the applicability

of the law. This proves that only laws and regulations are not able to prevent violence against women.

A movement named 'MeToo' was started to express the women who were victims of sexual violence in various fields in western countries. From this platform, many women have revealed about the sexual abuse that happened to them in their lives. Violence against women in workplaces and various fields such as films, journalism, political field and industry etc was revealed through this movement. It exposed the persons who took advantage of their positions in such fields to exploits the women working under them. In India too, the influence of the 'MeToo' movement could be seen to a large extent. A Union Minister also had to resign due to allegations under this movement. It proves that in spite of record complaints, many more crimes happen in the society about sexual abuse of women, but many times due to infamy, fear and pressure, such cases of abuse are not disclosed to the society.

Many laws have been enacted in India to prevent violence against women. But, can we prevent violence against women? After the Nirbhaya case in Delhi, the whole country woke up. The people demanded strict laws by putting pressure on the central government. As a result, as per the recommendation of the Verma Committee appointed by the government, death penalty was given for rape in exceptional cases. In the Nirbhaya case, the accused were sentenced to death according to the law that came into existence on the recommendation of this committee and it was implemented. Despite this, cases of rape and sexual assault continue to occur. This proves that it is not possible to prevent them only by the existing laws, but strict enforcement of the laws by the administration requires. For this, political will and an efficient structure that works impartially are very necessary.



For gender equality, in 21st century, equal distribution of work between men and women, economic, social and political opportunities for overall development, their work should be given importance as men. Men and women should be considered as the centre of development. Efforts have been made to uplift women in countries like Japan, Kenya, Sweden, Bangladesh, Ireland, Pakistan and Sri Lanka. On the occasion of International Women's Day, a bill was passed which hampered the freedom of young women in Kashmir. Through this bill, if a young woman from Jammu and Kashmir marries a youth outside the state, she will lose her rights to citizenship, job, and property in her state. But the organizations working for the protection of human rights did not immediately oppose this. According to Article 15 of the Constitution, it is guaranteed that there will be no discrimination between men and women before the law. According to Article 16, every man and woman is given equal opportunity for development. According to Article 39 means of livelihood are equal for men and women. Low salary as a woman and high salary as a man will not work.

The Government of India has also made several laws in the provisions of these sections as follows:

- Labour Rates Act (1948)
- Hindu Marriage Act (1955)
- Maternity Benefit Act (1961)
- Dowry Prevention Act (1961/1984)
- Equal Pay Act (1976)
- Obscene and Indecent Exhibition Prohibition Act (1986)
- Immoral Trade Act (1986)

Schemes and Policies of the Government for the Development of Women:

- Maher Yojana (Government of Maharashtra)
- Indira Mahila Yojana (Central Government)
- Swashakti Yojana (Central Government)

- Swavalamban Yojana (in collaboration with Norwegian Agency for Development Corporation 1982)

Autonomous Organizations Working for Women's Development:

- National Women's Commission
- National Women's Fund
- Financial Schemes

Even if laws are passed as above, they are not only run by laws, but the action of those laws must be strictly implemented accordingly. All laws aim to prevent domestic, social, professional, traditional, physical, mental abuses against women, but the question remains that whether central government and state government's laws prevent violence against women in various fields or can prevent abuse against women? In fact, these laws have not been able to stop or reduce crimes against women; be it dowry, domestic violence, sexual harassment at workplace.

Conclusion :

For the empowerment of women in India, the government needs to take initiatives and increase the participation of women in policy making. Under the 73rd, 74th and 89th Amendments, women have been given a chance to play a challenging role. If the responsibility of seizing that opportunity is handled properly by women, the contribution of women in national development can be very great, but for that, women's rights and laws must be strictly followed. Providing training to court, administrative officers, assembly officers on women policy and creating awareness about women, human rights and gender rights. Inclusion of information about women and human rights in the education curriculum, removal of derogatory references to women, NGOs, trade unions, educational institutions will help implement all policies to eliminate discrimination against women. Editors,



newspapers, reporters and anchors should give voice to women's sufferings like literary writers to bring awareness among people about women's issues and their rights in the society. For protection, women must carry some protective equipment with them, such as training in karate. Also, women should get 50% rights in all areas like law, security, education, defense, etc. It is necessary to take care that the image of women is not tarnished by offensive dialogues and songs in the entertainment media. The government can take many measures like collecting all the information about women's legal rights, human rights and organizing special programs to disseminate it. It is necessary today to create awareness among women by starting women's cells, women's police stations, family courts, women's courts, counselling centers, and justice

panchayats in police stations and making them aware of their rights.

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