

Women Human Rights in Nation

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Abstract: Human rights are minimum rights which are compulsorily obtainable by every individual as he or she is a member of human family. It has wide difference between theory and practice. Whereas Indian society is a male dominated society. The women in India have to face discrimination injustice and dishonour. Though women in India have been given more rights as compared to men, even then the condition of women in India is pathetic. In theory women have never been overtly excluded from the concept of human rights. As such women and girls experiences with human rights abuse have been virtually ignored. These women rights violation continue with no clear sign of abatement. Human rights violations against women are often complicated by further discrimination on the grounds of sexual identity, caste, religion, class or age. Violence against women is rooted in a global culture that discriminates against women and denies them equal rights with men. Women rights and human rights are indivisible. There should be all necessary steps to protect women from discrimination and abuse in both private and public spheres. The paper will throw some light on the women human rights and how they are being violated by focusing on the various crimes against them

Key Words: Human Rights, Society, Women, Violation.

Introduction:

The constitution of India has granted equal rights to the men and women. Women rights which are compulsorily obtainable by every individual as she is a member of human family. In the sphere of women human rights in India there exist a side difference between theory and practical. As Indian society is male dominated society. On the other side women have to struggle to achieve same legitimacy as that of men. Though women in India have been given more rights as compared to women in other Asian countries. But still the condition of women India is miserable. Women represents more than half the population of India but yet they have not treated equally as men or try have not enjoyed equal rights in the society. Why only women's are prey to all these crimes such as rape, sexual harassment, bride burning etc. Today all the members of the society have equal rights to live and to live in peace. Though government is taking number of steps to improve the condition the paper will study the women human rights and how they are violated. In this paper an attempt has been made to conceptualize certain gender specific violation as human rights violation in context of India.

Women human rights in India:

1. Right to education.
2. Right to politics.
3. Right to protection from in human treatment.
4. Right to protection from society.

Right to education:

Did u know that education was not given to girls in indicating India mostly boys go to school while girls do not? Everyone should be given an education, not just men or boys. Boys are given an education but girls are forced to stay at home and to the household chores. Girls can do anything that boys can do. They should have a right to education. Education is important in many ways with an education one can explore the world in ways that further her education. In India mostly girls are doing the harsh labor. In order to make things right for girls in India lots of thing should be done to help in this cause.

Violation of women's human right:

- The ways in which women experience human rights and human rights violations are unique. While human right are often understood as the rights that everyone has by virtue of their humanity, the assumption that all humans have the same experiences and needs is particularly problematic for women.

- Historically, states have assumed responsibility for human rights violations only when state agents or officials were the perpetrators. Indeed, certain forms of violence against women by state agents have been acknowledged as torture. However, women more often face abuse from non-state actors, such as their employers, partners, husbands, families and community members. When international law is applied without an understanding of the state's responsibility for abuses committed by private actors, women are denied an essential part of the protection that the human rights system is supposed to provide. When the state dismisses the majority of violence against women as private or domestic matters, thereby allowing this violence to continue, it sends a clear message that violence against women is condoned.

- Human rights violations against women are often complicated by further discrimination on the grounds of race, ethnicity, sexual identity, caste, religion, class or age. The type and prevalence of violence and discrimination that women experience are often determined by how their gender interacts with these other factors.

Bhanwari Devi was raped by five men of a higher caste in India. The gender-specific sexual abuse that she suffered was compounded by discrimination based on her social status. In the acquittal of her attackers two years later, the court noted that the incident could not possibly have happened because upper caste men would not rape a woman of a lower caste.

- Human rights have long been understood to apply universally to all people, at all times, in all places. However, in the case of women's human rights, this principle continues to be challenged. Some justify violations of women's human rights by placing precedence on cultural values and tradition. criminates against them. By placing limitations on the universality of the human rights of women, cultural values rooted in unequal power relations between women and men become justification for the systematic denial of civil, cultural, economic, political and social rights.

- Violence against women is rooted in a global culture that discriminates against women and denies them equal rights with men. Women today earn less than men, own less property than men, and have less access to education, employment, housing and health care. This global culture of discrimination against women denies women their fundamental human rights and legitimizes the violent appropriation of women's bodies for individual gratification or political ends.

State responsibility for women’s human right: respect, protect and fulfill:

- Each of the human rights treaties and the whole of the human rights framework are essential for the realization of women’s full spectrum of rights. States have a responsibility whether abuses against women are committed by state or non-state actors, in the public or private spheres. Their obligations under international human rights law can be summarized under three categories: respect, protect and fulfill.
- The state has an obligation to respect women’s human rights through its direct action, agents and structures of law. A state’s constitution must recognize equality between women and men in all spheres; state or official actors must be held accountable when they perpetrate violence against women; private actors who perpetrate violence against women must be prosecuted.
- The state has an obligation to protect women’s human rights. The state must take all necessary measures to prevent individuals or groups from violating the rights of each individual. As such, the state must take affirmative steps to prevent direct and indirect discrimination against women. Women must be fairly represented in government and have legal access to all forms of employment.
- The state is also required to fulfill the human rights of women by ensuring opportunities for individuals to obtain what they need and to provide that which cannot be secured by personal efforts. This obligation for women and men ranges from providing food, water, housing and education to ensuring the conditions necessary for women’s organization to form and function.
- International law has developed the standard of due diligence as a way to measure whether a state has acted with sufficient effort to live up to its responsibilities to uphold human rights, i.e. to respect, protect and fulfill. As a standard that has been incorporated into UN documents, due diligence is a term used to describe the minimum effort which a state must demonstrate to fulfill its responsibility to protect individuals from human rights abuses.

Violation of women rights in India:

1. Violation of right to education.
2. Violation of political right.
3. Rape.
4. Domestic violence.

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. Young girls may be bought up to believe that they are suited to only certain profession in some cases to serve as wife’s and mothers. Due to large no of uneducated women in India. They are not aware of women right and can never fight for them.

Violation of political right:

The political status of women in India is very unsatisfactory. there is male to domination in Indian politics and almost all the parties give very little support to women they have med initiatives in political participation but they have not been accepted in politics.

Rape:

Young girls in India are often victim of rape almost 255 of rapes are of girls under 16 years of age. Besides the family too is reluctant to bring in prosecution due to family prestige and hard police procedures. The law against rape is uncharged from 120 years. In rape cases it is very torturing that the victim has to prove that she has been raped.

Domestic violence:

Wife beating, abuse by alcoholic husbands are those violence done against women. The extra marital affairs of the husbands are another cause of such violence. Which are never publically acknowledged? But an Indian woman always tries to conceal it. The pity women are unwilling to go to court because of lack of support.

Conclusion:

All these violence did against women raises a question that how these special rights given to women's are helping them? will women's be really given equal status one day these questions are still unanswered encourage women from all the classes to appreciate themselves by improving the status both through education and though renewed ways of thinking to brighten up their future. So let us make India proud as a human being not as a men or women.

References:

1. Jha P., R. Kumar, P. Vasa and N. Dhingra et al, Low Male to female sex ratio of children born in India: national survey of 1.1 million households, Lancet, 367, 211-18 (2006)
2. Rama Jois, Legal and c3onstitutional History of India, Part I (New Delhi: Universal Law Publishing Co. Lt'J. 2001) Reading in sociology.
3. V.R. Krishna Iyer, The Dialectics and Dynamics of Human Rights in India: Yesterday Today and Tomorrow, Tagore Law Lectures (New Delhi: Eastern Law House, 1999) Madhurima 2010.
4. www.freiheit.org, ielrc.org (2014)
5. www.wisian.com
6. www.unfpa/org.htm
7. www.unhchr.ch (2014)