

Rights and Women Empowerment in India: A Challenge in Current Scenario

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Abstract

This paper is an attempt to analyse the role of women, their rights and empowerment in current scenario in respect to India. As we know women empowerment is the most significant concerns in the 21st century. United Nations also asserted in Millennium Summit the “Gender Equality and Women Empowerment” as one of the eighth millennium development goals to be achieved by the year 2015. In India, the goal is far to be achieved perceiving the current scenario. It is an honest attempt to highlight the role of woman, its importance and unending support during pandemic with all the issues and challenges in their empowerment. Despite all the efforts by the Government, social welfare organisations, NGOs, Nationally and Internationally, gender inequality still persists in considerable rate in respect to access to education, employment, independence in domestic affairs and reproductive matters. However the gender difference is shrinking with the efforts made by the women, in technical expertise and skills in communication. Facing intolerance and curiosity over time, there is a crucial need to eradicate all social and cultural evils, barriers in their overall development, gender based violence against them, to reach the goals of equitable society. The purpose of this study is to target the loopholes and challenges to eradicate gender inequality at the grass root level. The comparative and analytical method is been followed in writing this research paper. The study concludes that access to education, speedy procedure of justice, awareness

and implementation of laws , realization of women’s rights , employment and acceptance of women as equal effective human resource , efforts made at the grass root level to eradicate all social evils, may enable us to achieve the goal of gender equality , just and equitable society.

KEYWORDS- *Women empowerment, gender equality, equitable society, challenges, violence*

INTRODUCTION:

It is evident and harsh reality that women have been treated discriminately and differently for ages and India is no exception to it. We live in the society where we bow down to the goddesses and worship them as the source of intelligence , power , patience , love and the creator, but on the other hand women are harassed , abused , raped , kidnapped , and above all discriminated in all aspects of life , still pervasive in the globalisation era.

Society is aggregate of people living together in more or less ordered manner, involved in persistent social interaction for the upliftment of itself. Expansion of society is based on gender, sexual relationships. Gender refers to economic, social, cultural, emotional, political attributes and opportunities associated with being male or female.

Role of Women in Society:

Women is inseparable part of the society. They have a very diversified role in our society. She is mother, sister, housewife, professional, caretaker, teacher, etc. She performs all these roles with dedication and determination. The role of women if traced back the history, has ensured the strength, stability and long term development and progress to the nations. Women comprises 43% of the agricultural labour in the world and agriculture is considered as primary need and work as the engine of the growth of any nation .Main role of the women is the mother and the caretaker , who plays major role in preserving the health and nutrition of the children, elders and others in the family. “Rural women plays a key role in supporting their household in achieving food and nutrition, security, generating income and improving rural livelihoods and overall development”¹. Imbibing basic education to generations is the key to achieve nations development and sustainability. Education plays pivot role in enhancing agricultural productivity, status of women and girls, protecting and preserving environment, raising the standards of living and reducing the growth of population. Role of women as an educator, imbibing the qualities of proper personality development as a mother and teacher from the beginning years of life cannot be taken as of less importance. Women in rural areas have played major role as small entrepreneurs by selling vegetables and fruits, cooked food, raising silk worms, rearing animals, fishing, rural and tribal crafts etc. creating a network of rural small businesses , also share in improving economic development of nations.

Challenges:

Women being inseparable part of the society is never treated as equal. When women shares the major part of the society, in fulfilling responsibilities , duties in every situation and every aspect, continues to be vulnerable to the gender based discrimination. She is being looked down as commodity. She is not only facing challenges to secure dignity and pride outside the house, but still faces discrimination and atrocities at the domestic level. They are considered

as an object of reproduction of children, care taker of home, piece of enjoyment for the male. The result of gender based inequalities and discriminations perpetuated because of the social and cultural norms, that indorsed the male supremacy leading to the unequal relations between male and female in the society.

All forms of discriminations on the ground of gender violates the fundamental freedom and human rights. Crime, harassment, and violence based on gender discrimination manifest itself in gender inequality and insensitivity in society, creating barriers for the women in their wholesome development. With the proclamation of the year 1975 as “International Women’s Year” the campaign for women’s right gained momentum. The convention on the Elimination of All Forms of Discrimination Against Women, 1979 (CEDAW), which is an International Bill of Human’s Rights for Women, generated series of Action Programmes that recognised the need to promote gender equality and women’s empowerment.

The crime against women include rape, outraging modesty, dowry deaths and harassment, acid attacks, kidnapping and trafficking. India ranks 148 out of 170 countries, “Women , peace and security index 2021”. India is ranked the most dangerous country for women according to survey conducted by Thomson Reuters Foundation. “Majority of cases under crime against women were registered under ‘Cruelty by husband and its relatives’(30.2%) followed by assault on women with intent to outrage her modesty(19.7%), kidnapping and abduction of women(19.0%) and rape(7.2%)”.²

1. <https://globalvolunteers.org>

2. <https://hindustantimes.com>

There are various issues, problems and challenges that women in India generally faces in our country. It also act as a hurdle in women empowerment. The most among all is the sexual harassment of all kinds. Among all rape is the most heinous crime, accounting total 32033 cases in 2019, data provided by NCRB. Rape is the most inhumane and brutal forms of sexual aggressions on the dignity of women. Concerning the rising no of acquittals of those charged of rape. The Law Commission sought requisite amendments. It is felt over the years, justice of women would be lost, if the law is not amended to give death penalty.³

Selective abortion is also the most common practice for years in India .Inspite of being made the determining of sex in mother’s womb is illegal, abortion is practised to get rid of female foetus by the medical practitioners in India. Girls are considered to be the burden on the family due to the social and cultural evils practised from years as dowry, low status of widow, insecurity etc. According to the report of NCRB, 2019, 7162 cases of dowry deaths were accounted in India.

Another major challenge is Domestic violence which is deep rooted endemic affecting almost 70% of females in India. It is inflicted by the husband, family members and relatives due to various reasons. Among all kinds of crime against women, domestic violence is systematically known to be underreported crimes in India. Reasons behind it are fears of retaliation lack of speedy implementation of laws and judicial support to the victims, long procedure of justice traditional values attached to the embarrassment and loss of respect of family, relatives, financial dependency, lack of awareness and lack of knowledge of rights

and protection guaranteed by the Constitution. The largest underreporting seems to be occurring in Bihar, followed by Karnataka and Manipur.

Major hurdle in women empowerment is the Dowry System. It is tool in the hands of people who aims to earn riches, without any effort through the system of marriage. In India there is custom of giving gold, cash, property before or after the wedding to the bride as a love and blessing, out of affection. This custom has taken the shape of status of family. Lust of money and status has taken shape of evil, and become root cause of mental and physical torture, suicides, murder and burning of brides. In year 2020, dowry deaths cases accounted to nearly 7000 with Uttar Pradesh accounting to the highest registered cases.⁴

Root cause of inequality, prevailing in the society is the disparity in education. The level of women literally is still less than the men in the modern era. Still in rural areas in India women and girls are far from getting education. They are discouraged in getting higher, professional and technical education. The reason behind this are the deep rooted patriarchal norms still followed by the people, insecurity attached with girl child and lack of awareness of laws.

Along with this mention of child marriage is also important. Despite of being laws made to prevent child marriage in rural India, early marriage of girls by their parents is done in order to escape the menace of dowry system. The root cause of all ill-treatment faced by the women are illiteracy, religious prohibitions, discriminatory laws, customs, traditions, economic dependency, lack of interest in the leadership, lethargic justice procedures, insufficiency in implementations of laws, less awareness at the grass root level, apathetic and rigid attitudes of males etc can be accounted.

3. Mamta Rao, Laws relating to women and children

4. <https://www.statista.com>

Earlier women faced problems like Devdasi, Sati pratha, child marriage and purda pratha. To ameliorate the conditions of women in India many legislations were enacted in colonial period starting from Abolition of Sati pratha in 1829, Widow Remarriage was made legal in 1956, Female Infanticide was banned in 1870, Child Marriage Restraint Act was passed in 1929.

In the era of advanced globalisation, we cannot negate the reality that with increased advancement of technology and communication skills, women are still vulnerable to the violence, cruelty and cybercrimes. As the Covid-19 continues to effect the lives worldwide, the vulnerable are the women facing job crisis, domestic violence, economic dependency, prone to infections, working as frontline health workers and all sorts of discriminations in every aspect. According to the report of UNICEF in March 2020, 1.6 billion children were prevented from physically attending the schools during lockdown. During this shutdown period the amplifying vulnerability of women became more transparent working as frontline health workers, job insecurity, poor health facilities, forced unpaid labour, with increased domestic violence depicting the roots are already entrenched in gender social norms. It has increased insecurities of women affecting fundamental capability and grabbing the opportunities.

The emerging evidences of impact of this pandemic exhibits that women's economic and proactive life has been differently and disproportionately affected by the pandemic. It provide

as an opportunity to review the laws and enforcement of same in the spirit they were enacted

This laid more responsibility on the part of the government to enact and implement more flexible working arrangements, narrowing gender based education gaps, guarantee of free health services, provide active and speedy judiciary services, expanding women's participation in both formal and informal sector.

The constitution of India guarantees the fundamental rights to all citizens , which are enforced by the courts providing standard of conduct, justice and fair play. The constitution also enumerates certain directive principles of State Policy and fundamental duties which outlines the principles relating to social and economic justice ,with a view to establish a just society, upholding the values and integrity of the country irrespective of gender , religion, caste, creed, economic status and region. Keeping a check on women's related crime, government of India provides crucial rights to the Indian women. On the grounds of gender equality certain rights are there which India women holds-

- Women have the right to equal pay under the Equal Remuneration Act
- Women have the right to dignity and decency
- Women have the right against workplace harassment
- Women have the right against domestic violence
- Females sexual assault victims have the right to keep their identity anonymous
- Women have the right to get free legal aid
- Women have right not to be arrested at night
- Women have the right to register virtual complaints
- Women have the right against indecent representation
- Women have the right against being stalked

Women have the right to zero FIR

Despite conferring all these right the persistent gender inequalities became more transparent in the current scenarios. It became evident that rights are given but are less recognized at social, political and economic levels. It has disproportionately affected by growing unpaid domestic work with exacerbated income and social inequalities.

What steps should be taken to promote gender equality is still pertinent to ponder upon:-

- There is need to design the policies and integrated strategies to address gender specific discrimination.
- National Health Sector should be expanded to insure quality maternal care and support to the women, especially to those who comprise frontline health work force.
- Role of women should be promoted in designing the delivery of water, sanitation and hygiene ecosystems.
- There is need to boost the investment and promotion of women in education sector to ensure awareness in girls for skill building to give firm shape to economic empowerment as entrepreneurs, innovators and leaders.
- Targeted initiatives should be taken to prevent the gender based discriminations and violence, ensuring to end child marriage, eliminate female genital mutilation, proper execution of laws, helping them in psychological needs, creating virtual safe spaces

and apps for their protection and quick on the toe facility for their support and security.

Despite legal reforms the gender imbalances are persisting. It has been realised that no state can truly progress if half of its population is lagging behind. Various legislations are passed in India with a view to curb the imbalance in gender hierarchy and aid in women's empowerment.

CONCLUSION:

Achieving the complete gender justice is very difficult in a typical country like India, having diversity of cultures, rigidity in traditions and beliefs. Despite all hardships women refuse to limit their sky and ambitions. Gender development with equality in all spheres in any nation is the key component of the development and overall welfares of the society. With the globalisation, need of more securing and promising laws, technological change, recognition if the serious impact of World uneven progress and humanitarian emergencies has opened up new world with emerging challenges to the women. This resulted in raising loud and prominent voice of women from all walks of life against the prevalent inequality and asserting their power and potency in all fields of global change makers. Even though there has been considerable progress in securing gender justice and women empowerment, still in current scenario, a lot is needed to be done to achieve the aim of establishing equitable society and accepting women force into an effective human resource.

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