

Human Rights Violation of Women

By Rajat Gupta

From: Aligarh Muslim University, Aligarh

Abstract:

Human Rights which is the basic requirement of people as elucidated by Nelson Mandela- "To deny people their Human Rights is to deny their very humanity". This quote draws a picture of the status quo of women in India and the central theme of this paper. It is a universal truth that all violation against women start with men's ego and greed. Wars are caused and fought by men but women belonging to losing side are being raped, assaulted and mutilated. Due to men gulping intoxicates, women crave for food. In the world we live, son of one mother destroys the glory of another mother.

United Nations declaration, 1993, defined violence against women as 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to a woman, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life'

This paper will include relevant facts and will be dealing with the pandemic problem faced by women and girls. It includes the examples of the women who have shown the world that women have the power to do beyond anyone thinks. The paper includes reports by many international and national organizations like

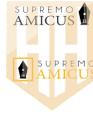
WHO. There are recommended solutions to the violations.

Keywords – Violation against women, WHO, Solutions, Human Rights, United Nation Declaratuon.

Introduction

Human rights are moral principles or norms that describe certain standards of human behavior, and are regularly protected as legal right in municipal and international law. They are commonly understood as inalienable fundamental rights "to which a person is inherently entitled simply because she or he is a human being", and which are "inherent in all human beings" regardless of their nation, location, language, religion, ethnic origin or any other status. They are applicable everywhere and at every time in the sense of being universal, and they are egalitarian in the sense of being the same for everyone. They are regarded as requiring empathy and the rule of law and imposing an obligation on persons to respect the human rights of others, and it is generally considered that they should not be taken away except as a result of due process based on specific circumstances, for example, human rights may include freedom from unlawful imprisonment, torture and execution.

Why are Human Rights important?



Human rights are important in the relationships that exist between individuals and the government that has power over them. The government exercises power over its people. However, human rights mean that this power is limited. States have to look after the basic needs of the people and protect some of their freedoms. Some of the most important features of human rights are the following:

- They are for everyone.
- They are internationally guaranteed.
- They are protected by law.
- They focus on the dignity of the human being.
- They protect individuals and groups.
- They cannot be taken away.

Difference between Human Rights and

Human rights are those minimum rights which are compulsorily obtainable by every individual as he/she is a member of human family. The constitution of India also guarantees the equality of rights of men and women. However, in the sphere of women’s human rights in India, there exists a wide gulf between theory and practice. Indian society is a male dominated society where men are always assumed to be superior to society. The differentiation between men and women for the positive reasons has turned out to have negative impacts like suppression, violence and denial of equal opportunities. Women existed for man and always played the second fiddle to him. The women in India very often have to face discrimination, injustice and dishonor. Though women in India have been given more rights as compared to men, even then the condition of women in India is miserable. The paper will throw light on the human rights of women in India and that how all the fundamental rights given to the women

are being

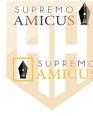
Point no.	Human Rights	Fundamental Rights
1.	Not Awarded but possessed from birth as a Human	Awarded through Constitution.
2.	Possessed by all Humans in the country	Mostly Awarded only to citizens of the country
3.	Same for all the countries	Different in different countries
4.	On the basis of morality and Humanity	On the basis of legality and constitution.

Fundamental Rights

violated in India, by focusing on the various crimes done against them.

Violation of Human Rights of Women

In India where the almighty is worshipped in feminine form as Shakti by many crimes against women, in spite of all the



constitutional safe guards, is becoming common place and is on the increase. Violations of human rights are not simple individual acts of violence. Such violence are generated by developmental models also which are weighted in favor of the state or those in power and are against poor, the minorities and women.

Violence against women is partly a result of gender relations that assumes men superior to women. Given the subordinate status of women, much of gender violence is considered normal and enjoys social sanction. Manifestations of violence include physical aggression, such as blows of varying intensity, burns, attempted hanging, sexual abuse and rape, psychological violence through insults, humiliation, coercion, blackmail, economic or emotional threats and control over speech and actions. These expressions of violence take place in a man-woman relationship within the family, state and society. Usually, domestic aggression towards women and girls, due to various reasons remain hidden. Cultural and social factors are interlinked with the development and propagation of violent behavior. With different processes of socialization that men and women undergo, men take up stereotyped gender roles of domination and control, whereas women take up that of submission, dependence and respect for authority. A female child grows up with a constant sense of being weak and in need of protection, whether physical social or

economic. This helplessness has led to her exploitation at almost every stage of life.

The family socializes its members to accept hierarchical relations expressed in unequal division of labor between the sexes and power over the allocation of resources. The family and its operational unit is where the child is exposed to gender differences since birth, and in recent times even before birth, in the form of sex determination tests leading to feticides and female infanticide. The home, which is supposed to be the most secure place, is where women are most exposed to violence. Violence against women has been clearly defined as a form of discrimination in numerous documents. The World Human Rights Conference in Vienna, first recognized gender-based violence as a human rights violation in 1993.

In the same year, United Nations declaration, 1993, defined violence against women as 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to a woman, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life' (Cited by Gomez, 1996).

Radhika Coomaraswamy identifies different kinds of violence against women, in the United Nation's special report, 1995, on Violence against Women;

- Physical, sexual and psychological violence occurring in the family,



including battering, sexual abuse of female children in the household, dowry related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.

- Physical sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution.
- Physical, sexual and psychological violence perpetrated or condoned by the state, wherever it occurs.

Coomaraswamy (1992) points out that women are vulnerable to various forms of violent treatment for several reasons, all based on gender.

- Because of being female, a woman is subject to rape, female circumcision/genital mutilation, female infanticide and sex related crimes. This reason relates to society's construction of female sexuality and its role in social hierarchy.
- Because of her relationship to a man, a woman is vulnerable to domestic violence, dowry murder, and sati. This reason relates to society's concept of a woman as a property and

dependent of the male protector, father, husband, son etc.

- Because of the social group to which she belongs, in times of war, riots. On the other hand, ethnic, caste, or class violence, a woman may be raped and brutalized as a means of humiliating the community to which she belongs. This also relates to male perception of female sexuality and women as the property of men.

Combining these types of abuse with the concept of hierarchical gender relations, a useful way to view gender violence is by identifying where the violence towards women occurs. Essentially, violence happens in three contexts – the family, the community and the state and at each point, key social institutions fulfill critical and interactive functions, in defining legitimating and maintaining the violence.

- The family socializes its members to accept hierarchical relations expressed in unequal division of labor between the sexes and power over the allocation of resources.
- The community (i.e., social, economic, religious, and cultural institutions) provides the mechanisms for perpetuating male control over women's sexuality, mobility and labor.
- The state legitimizes the proprietary rights of men over women, providing a legal basis to the family and the



community to perpetuate these relations. The state does this through the enactment of discriminatory application of the law.

The Fourth Conference of Women, 1995 has defined violence against women as a physical act of aggression of one individual or group against another or other. Violence against women is any act of gender based violence, which results in, physical, sexual or arbitrary deprivation of liberty in public or private life and violation of human rights of women in violation of human rights of women in situations of armed conflicts (Conference on Women, Beijing, 1995 Country Report).

Violence against women, regardless of the nature of the perpetrator, an individual, group, institution, the state or society, as a human rights violation and is treated as such, whether it happens in the home, within the family or outside of it.

The violence of women's human rights takes many forms such as:

1. Sexual or Physical and Psychological assault or harassment.
2. Female feticides and infanticide
3. Abortion
4. Female circumcision, and
5. Dowry deaths. Sati and denial of her autonomy over her own body.
6. Forced Prostitution

In the **economic sphere**, the violation has been manifested in the use of women to boost the economy and their state of powerlessness. They have suffered humiliation on the process. In the economic sphere, women's exploitation takes place in the forms of:

- Labor exploitation and denial of rights to organize.
- Problems of migrant women laborers.
- Land grabbing by powerful sectors.

In the family planning system too, the problem control methods also impose the responsibility for human reproduction solely on women. The following institution and relationship have been cited as having been historically used to restrict women's activity and maintain subordination of women.

1. The Family,
2. Marriage,
3. Religion,
4. Cultural Traditions,
5. Government Development Models,
6. The policies, laws and laws enforcement agencies,
7. The legislative and judicial systems,
8. Multinationals,
9. The educational system,
10. The media and
11. Upper class women who dominate other women and women co-opted by men, in armed struggles that torture or kill others.



Many social and religious practices also are against human rights or women and are a symbol of mental slavery. Inequality in domestic relations is a stark reality. Though the universal declaration of human rights and the Discrimination against Women Convention mandate states to accord complete equality in matters of marriage, divorce, inheritance, ownership of property, etc.

Domestic Violence against Women – Domestic violence has been defined as “all actions by the family against one of its members that threaten the life, body, psychological integrity or liberty of the member. The forms of violence commonly found by Ahuja (1998) were slapping, kicking, tearing hair, pushing and pulling, hitting with an object, attempting to strangulate and threatening. Forms of psychological abuse were also found to exist, for instance, verbal abuse, sarcastic remarks in the presence of outsiders, imposing severe restrictions on freedom of movement, totally ignoring the wife in decision-making processes, making frequent complaints against her to her parents, friends, neighbors, and kin much to the embarrassment of the wife. Some of the reasons given by the women were financial matters, behavior with in-laws, back-biting, talking to any male without the liking of the husband, asking for money, preventing him from drinking and husbands personality traits.

One of the main cause why domestic violence prevail and continues is the lack of alternatives among the victims. Women and Children may be economically dependent on abusers. Elderly people and children may feel too powerless to escape. Language or cultural barriers may isolate victims from seeking help. Victims generally feel, it is better to suffer in silence that to be separated from loved ones. They keep hoping for improvement, but it is normally observed that, without help, violence gets worse.

Recommended Solution

- Comprehensive and extensive premarital counseling should be given to intending couples on how to manage their marital relationship.
- There should be public enlightenment through the mass media on the negative effects of domestic violence against women, especially wife battering.
- Religious leaders too should vigorously teach against marital violence in their places of worship.
- Youths should be encouraged and taught to detest and not imitate brutish treatment of wives around them.
- Medical professionals, after physical treatment should refer the victims to counselors and psychotherapists.
- Punishment given to grievously offending husbands should be



publicized, so that I can serve as deterrence to others.

Women can DO

The role of health professionals in providing care for the survivors can be better understood and addressed from the perspective of the WHO definition of health, which defines it as an individual's state of physical, mental and social well-being. Through a report by World Health Organization study it has been noted that more than a third of all women worldwide are victims of physical or sexual violence, and this is definitely posing a global health problem. Majority of women are attacked or abused by their husbands or boyfriend. The report, co-authored by Watts and Claudia Garcia-Moreno of the WHO, found that almost two fifths (38%) of all women murder victims were murdered by intimate partners, and 42% of women who have been victims of physical or sexual violence by a partner have injuries as a result. The brutal gang rape (Nirbhaya gang rape) on 16 December 2012 of a 23-year-old woman on a bus in New Delhi generated a global turmoil and protests in India asked for better policing of sex crimes. There are hundreds of women every day who are being raped on the streets and in their homes, but that doesn't make the headlines. Before the 1990's, violence against women was considered a personal matter and not a human rights issue of concern to the international community.

In Current Scenario in India, women have held high offices and ranks such as President, Prime Minister, Speaker of the Lok Sabha and leader of opposition in India, CEO of Various Indian and Multinational companies. However, women in India continue to face violence such as rape, acid throwing, and dowry killings while young girls are forced into prostitution. Women in India now contribute fully in areas such as education, sports, politics, media, art and culture, service sectors, science and technology, etc. Indira Gandhi, who served as Prime Minister of India for an aggregate period of fifteen years, is the world's longest serving woman Prime Minister. Recently five Indian women made it to the 2017 List of 'Top 100 Most Powerful Women' released by Forbes business magazines. These resilient Indian woman have risen through times and carved a niche for themselves in their respective fields, not only garnering praise in India but also hogging limelight around the world. ICICI's CEO Chanda Kochhar (Ranked 32nd), HCL CEO Roshni Nadar Malhotra (Ranked 57th), Biocon Limited's MD Kiran Mazumdar Shaw (Ranked 71st), Chairperson and Editorial Director for HT Media, Shobhana Bhartia (Ranked 91st) and Actor and Producer Priyanka Chopra (Ranked 97th) were the five Indian getters. Here this paper will be answering the question which somewhere or the other, every reader must have heard or thought about it. The question is if women are equal to men than why we can't see this? This can be explained as



‘Children are nurtured by the surroundings they live. Their immediate surrounding shapes their base on which their structure of behavior and way to react to situations will establish’. This elucidates that as women are always suppressed in our society they are taught by their surroundings to live completely imprisoned in a four wall room. And when it comes to Men, we ourselves may have witnessed the discriminating freedom the boys get in our or neighbor’s house. We ourselves teaching our growing children that there will be always a discrimination between men and women and they themselves have to carry it to their next generation. But there are always exceptions like the parents of Manushi Chhillar, the Miss World 2017, who comes from small town Rohtak, Haryana. She hails from the state where there is lowest sex ratio 879:1000 (as per Census 2011) among all Indian states. Whatever she is heading for is no doubt comprises her immense efforts and hard work but all her efforts would be futile if her parents have not supported her or have not given her freedom to chose what she want to be. There are many more example all over India where girls have proved to be more talented than boys in the respective field. We see less girls exploring the world because they are not allowed to, not because they can’t. If this would have been true that girls can’t, the examples like Kalpana Chawla, Lata Mangeshkar, Priyanka Chopra, Arunima Sinha, Mithali Raj etc were not known to this world.

Conclusion

The declaration on the Right to Development, adopted by the UN General Assembly in December 1986, also features the right to “free, active and meaningful participation”. In all societies women do not enjoy these rights to their full extent. This is due to gender inequality, direct and indirect discrimination, and coercion or violence which prescribes what and how women and girls may live their lives, and which impacts on each of the key areas.

While both women and men suffer from specific human rights abuses, much of their experience of human rights is gendered. That is, the ways in which women are abused and experience torture, imprisonment slavery, displacement, discrimination and other violations often specifically shaped by the fact of being female. In addition to the major international human rights instruments, two instruments specifically concern women: the Convention on the Elimination of All Forms of Discrimination against Women and the Declaration on the Elimination of Violence against Women.

Despite these and other achievements, many critics have demon-started that mainstream human rights organization and instruments have long been insensitive to the rights of women. Within an aid program, human rights objectives may be approached through support for specific human rights project and programs, such as institutional strengthening



of human rights organization (government and non- government) on a national or regional level, human rights training initiatives, or support for programs which address the causes and problems of violence against women. Women and men are equally important for the grow and development of individual and social lives. The women play the important role as mother and the same makes it unique.

India has elaborate system of laws to protect the rights of women and the government has established two commissions in 1993- the National Commission on Women and the National Human Rights Commission. The government is committed to bring parity between the sexes in all walks of life and to eradicate discrimination in all its manifestation but, it is easier said than done. The uphill task and along drawn out battle can be won only if women are given proper education, specially their legal literacy is to be increased, they are made aware of their rights, they are given credit facilities to make them financially independent, they are provided legal aid and they are given a fair share in political power. However, the most important thing desired on this direction is a change in cultural attitude, this can be done only when an attempt is made to reorient the society and educated people about the concept of women dignity and the need to treat women as a human being and individual and person demanding and needing respect and dignity. If all these things can be done then and then only women's lot can be

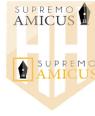
improved who are called Supreme Being and Guru.

Let us try to work attain this noble goal with commitment, through concerted efforts ad strive to excel while chanting the hymns of Vedas with Swami Vivekananda:

“Arise, Awake and Stop Not, Till: The Goal Achieved.”.

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