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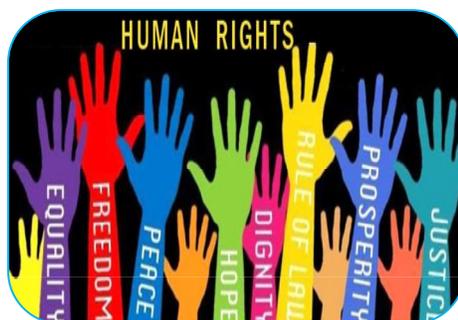
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## WOMEN'S EXPLOITATION AND HUMAN RIGHTS IN INDIA

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### ABSTRACT :

The issue of human rights has not only attracted the attention of media, but also has become a subject of controversy of most of the countries on this earth. What are these so called human rights? Every man demanding from government or society anything, something or everything in accordance with his heart's desire is considered an advocate of human rights and also a claimant to these rights. The human rights problem has become a mix of many issues. In the developing countries, there are other fundamental rights to which equally urgent attention should be given such as the right of the vast majority of people to be free from want, from hunger, from ignorance, from disease and backwardness, the right to development, the right to be free from political and economic exploitation in pursuit of their development in atmosphere of peace and national stability.



**KEYWORDS :** human rights , fundamental rights , atmosphere of peace and national stability.

### INTRODUCTION :

**Dr. Proxy** in his world famous book "The Idea of Human Rights" points out about the nature of human rights as- "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood". Broadly speaking, we can say that Human Rights are the rights inherent to all human beings, whatever our nationality, sex, color, religion, language or any other status. We are all equally entitled to our human rights without discrimination.

These rights are all inter-related, interdependent and indivisible. All human rights are indivisible, whether they are civil or political rights such as right to life, equality before the law and freedom of expression. All human rights are universal, indivisible and interdependent and related. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion

or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching practice, worship and observance. These rights are based on the concept that every man and woman, irrespective of caste, creed, color, race and nationality is born with certain fundamental rights such as right to live, freedom, speech, justice etc. The Universal Declaration of Human Rights (UDHR) which UN adopted on 10<sup>th</sup> Dec. 1948 enumerates some of these basic rights of man. About Human Rights, **M. K. Gandhi** says, "You must not lose

faith in humanity. Humanity is an ocean; if a few drops of the ocean are dirty, the ocean does not become dirty". peace". The concept of Human Rights is an international one. Broadly speaking, human rights are those rights which are inherited in our nature and without which we cannot live as a human. Every human being is in need of rights to develop his personalities, otherwise a man cannot prosper. Human Rights are the basic to civilized existence, are conceived primarily as protection against the tyranny of the majority even in a democracy because the ultimate hope for those rights lies in the democratic process. Human rights are such type of rights which are bestowed to human being without any discrimination. According to sec 2 (1) (d) of protection of Human Rights Acts 1993, 'human rights' means the rights related to life, liberty, equality and dignity of the individual guaranteed by the constitution. Indian Constitution has bestowed fundamental rights, legal rights to all Indian. In the last sixty years of India too much reformation regarding human rights took place in India. Rights to Education, Rights to Information and so on. All the rights to human being are guaranteed by the entire world. Although we are living in the 21<sup>st</sup> century, still injustice is seen at many places. Human rights have given equal rights to men and women both. The Indian Constitution has accepted the same.

**Jimmy Carter** says, so far as human rights of woman is concerned, ancient Indian ideology tells us that 'woman' is treated with great dignity and honor of 'Mata' or 'Devi' or is worshipped like Goddess Saraswati. But even though she has been denied some of the fundamental rights many inhuman practices are developed to ill-treat the women such as early marriage, dowry system, Sati System and so on. Their rights are snatched. They are harassed and exploited in various ways. Women are treated as inferior or subordinate to man but this is not fair. If we go back to the history, we come to know that many women falls a prey to the exploitation and destruction. They were treated worst than the domestic animals. They were identified only by their husband name or the daughter of someone. It was just like "Man for the field, and woman for the hearth". The women remain invisible since a long time. Although geographically men and women share the same space, they live in different worlds. The mere fact that "women hold up half the sky" does not appear to give them a position of dignity and equality. Since many years women have made great stride in many fields with noteworthy progress. Inequality is seen at various places like education, politics, and economic, social and cultural spheres.

### HISTORY OF WOMEN'S EXPLOITATION

Indian woman is a topic of research. If we go back to the history, we come to know that women's exploitation commenced from after Vedic period. Under patriarchal system women's suffering started. Women were due respected. As far as at globe level the pictures and examples of women's exploitation are seen. In the same way situation in India is also seen. If we go back to ancient India, it is seen that Manusmriti did not allow the women right to life. A woman has been considered as a machine of procreation and to manage only children and home. In short we can say that women were considered to be an inferior to men. In the past women were deprived of many rights. Principle of inequality devoid of legal rights, lack of scientific approach and so on. As far as human culture is developed, woman's status deteriorated. Women were respected but their rights were snatched away. Later on the process of exploitation took place. If we try to find out the root of exploitation, it is deeply rooted in Indian theology. In Manusmrit, women are kept under obstruction. Early marriage, Sati- system, Devdasi, such systems were existed in those days and women were deprived of their rights.

Year 2001 has been declared as Women Empowerment Year. Every year we celebrate 8<sup>th</sup> March as a Women's Day but the condition of women is not still progressive. Women's exploitation is still at large. In the Survey of Indian Medical Association, it is seen that in India that every year more than 50 lakhs female foeticide take place. As per the census of 2011, there are 925 women in proportion of 1000 men. Women literacy ratio is 75.48%. Indian women are facing injustice since a long time. The legal safeguards are supplied for Indian women against domestic violence. Violence against women manifests like dowry harassment, domestic violence. Rape, molestation, kidnapping, cruelty to women, other forms of murder like female foeticide. But now this is the right time for women to know their right. The present era brings many women movement for the upliftment and liberation of women.

### Various Ways of Women's Exploitation:

Mostly we see that women in India are harassed and exploited in many ways. They are as follows-

#### 1) Domestic Violence:

The prevalence of domestic violence is high in India. According to the most recent National Family Health Survey (NFHS), 40% of Indian women of reproductive age had experienced physical (35%), sexual (10%), or emotional (10%) violence by their husband (NFHS 2007). Unable to bear a child, dissatisfaction with the dowry and other assets given by a bride's family to the groom's family to compensate for the 'financial burdens' may result in domestic violence against young wives. Domestic abuse occurs when one person in an intimate relationship or marriage tries to dominate and control the other person. It includes physical violence. Women are mostly victimized, physically as well. Patriarchal system is mostly responsible for the domestic violence. The basis of domestic violence is from various trivial issues like dowries, wife's sexual infidelities, her negligence of domestic duties, her disobedience of her husband's dictates, talking to other persons, coming late at home are the considered legitimate causes for wife-beating. It is seen that mental violence is stronger than physical violence. In the survey of National Women Commission of 2003 indicates that 19% highly educated women are beaten by their counterparts. In rural areas nearly about 43% of women fall a prey to domestic oppression. In India domestic violence is mostly found in the states like Bihar, Rajasthan, U.P. and northern states having proportion 65 and 45 respectively. The special law The Protection of Women from Domestic Violence has been enacted. According to National Crimes Bureau Report (2002), 1.5 lakh crimes against women are registered annually, out of which nearly 50,000 are concerned with domestic violence.

According to **United Nation Population Fund Report (UNPFR)**, nearly about 2/3 of married women are victims of domestic violence. The picture is clear in India that 60% of women suffer from domestic violence. The government of India passed a Domestic Violence Bill, 2001, "To protect the rights of women who are victims of violence of any kind occurring within the family and to provide for matters connected therewith or incidental thereto".

#### 2) Exploitation for Dowry:

Dowry is exchanged in most of the families in India at the time of wedding. It is nothing but negotiation of wealth, money and property. When the bridegroom doesn't get satisfactory amount, it results in abuses of various ways. Dowry system is a shameful tradition and a big blot on Indian culture. We worship women as Durga, Laxmi and Saraswati, but exploit them in marriage. Dowry system has made marriage a business in Indian society. After marriage some daughter-in-laws are harassed by the mother-in-laws. Their humiliation and insult is beyond limit. This system is responsible for the plight of women.

A dowry system results in many evil things. It is nothing but the gift given to their daughter at the time of marriage. But after all, this system is the worst one, unaffordable to the common people. It relates domestic violence, suicides and murder cases which we see in our day to day life. News regarding dowry death are seen in the daily newspapers. In 1961, the Dowry Prohibition Act is passed, which indicates accepting dowry is illegal. Other various ways of women's exploitations are as- Bride burning, genital mutilation, rape, murder, acid attack and so on. Bride's death due to dowry is regularly seen and heard everywhere. The Dowry Prohibition Act 1961 was amended in 1984 to 1986. It constitutes a special category of death that was first time in section IPC in 1986, section 304 (B) indicates that the death of a woman within seven years of her marriage by burns or bodily injury with evidence of cruelty or harassment by her husband in connection with dowry is 'dowry death' and punishment with jail.

### 3) Sexual Exploitation:

The term 'sexual exploitation' means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another". Now a days we see that there is a rapid progress due to technology.. Women are not lagging behind to men. They are entering in each and every field. They work at private, government and semi-government offices. But their sexual harassment is at large. Forcibly they are attracted for illegal business. Consequently, they are exploited. Women victims of sexual harassment are reluctant to even admit this because of social stigma. In 1997, Supreme Court has passed a judgment in this case, the court started guidelines declared under Act 141. Several amendments are brought in the offence of rape punishable u/s 376 of I.P.C. namely 376- A to 376 D, after a landmark judgment of Supreme Court in 1995.

### 4) Physical Exploitation:

Now a day's physical exploitation of women is taking place at large. In some family, unnecessarily or due to the lust of money or wealth, brides are physically exploited. It includes physical aggression, such as blows of varying intensity, burning by putting kerosene or petrol on her body, hangings, sexual abuse and rape, insulting with abusive words, filthy words, and humiliation at each and every moment, emotional threats, and coercion. All such activities include in physical exploitation. Government has laid some laws against physical exploitation of women but stringent action doesn't seem to take place. Women who are subjected to such physical exploitation should be provided with access to the mechanisms of justice and to just and effective remedies for the harm that they have suffered. Government should inform women of their rights in seeking redress through such mechanism.

### 5) Feticide:

Feticide is one of the burning issues in India. The practice of female feticide and abortion is increasing day by day. Today, due to advance technology like amniocentesis and ultrasound used for detecting sex of the fetus. If female child is found, it is aborted. As per I.P.C. 312, abortion of pregnant woman is strictly prohibited.

Women are the victims of discrimination, social prejudices, physical abuse and domestic violence. Female feticide is the shocking facts and it is committed not only in illiterate and poor but also by educated people in the cities too. This is one of the major social problems in India. Discrimination against women and a preference for a son have promoted. Survey made it clear that ten million female fetuses have been illegally aborted in India. The government passed **Preconception and Prenatal Diagnostic Techniques (PCPNDT) Act** in 1994, pointing out that sex selective abortion is illegal. It is punishable under section 302 of the I.P.C. and having imprisonment upto three years and onethousand rupees fine. It is the urgent need of increasing awareness of this issue. Aamir Khan devoted an episode of his show 'Satyamev Jayate'. As per the 2011 census, the child sex ratio in Maharashtra has dropped to 883 girls against 1000 boys. In the last year, action has been taken against many doctors for violating the Act. It occurs in many parts of India. Such type of act is considered to be a crime by law and the increase in awareness among the people; they have become cautious about revealing facts to investigators. As per Indian Constitution Act 312 one who instigates woman for feticide is having three years of imprisonment. Even though the ratio of such act is increasing not only in rural areas but in city life also. It is seen that laws regarding human rights are not followed strictly.

### CONCLUSION:

Human Rights is a burning issue in India. It is a concept which is accepted by all the countries in the world. It has given equal rights to men and women. The Indian Constitution has accepted the same. Proper rights and its implementation should be same for men and women. It is the need of time to eliminate all forces and all forms of violence against women at every walk of life. Women in India must be conscious of it and fight against boldly and bravely until they get the protection. Women must be

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made conscious of their rights against harassment and exploitation. All types of violence against women must be stopped to maintain the peace in the world.

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