

HUMAN RIGHTS AND STATUS OF WOMEN IN MODERN SOCIETY

Chitranga A. Chaudhari

Research Scholar,

Kavayitri Bahinabai Chaudhari North Maharashtra University,
Jalgaon.

Abstract

Justice Krishna Iyer, has very well expressed his views, that, “a human being is entitled to Human rights from womb to tomb”.

Human rights are the basic rights which are alienated to every human being. The Constitution of India has guaranteed the Right to Equality, Right to Life, Right to Education and that there shall be no discrimination on the ground of caste, creed, race or gender.

The Indian women, has come from a long way i.e. from the ancient period, the rig vedic period to the successful women of today in each field balancing their professional life as well as the family life. Today's women has proved herself that the sky is no limit for her. She has maintained her status and set an example before the society that, inspite of lots of barriers, she has achieved her goal and shown that though she is subject to any type of violence, sexual harassment or discriminated on the ground of sex, she has the power to fight and come in the flow of the society.

The most significant fact of modern India is the advancement of women in each and every field. Human Rights have played very important and significant role for women status from third generation (social solidarity) as well as taken pain and efforts to enforce the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). CEDAW is an international treaty adopted in 1979 by the United Nations General Assembly. Because of CEDAW several changes took place in the areas of education, employment, awareness of rights of women, the active political participation and various types of laws enacted for the upliftment of women in the society.

Under the Constitution, despite both men and women are enjoying equal rights and having equal status, still women are victim at the hands of men.

This paper will study how the woman has proved herself and attained the successful position in the modern society.

KEYWORDS: Human rights, Discrimination, Education, Employment, Awareness.

INTRODUCTION

Sec.2(d) of the Protection of Human Rights Act, 1993 defines the term “Human Rights” as under:

“human rights” means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by Courts in India.

Human rights are the inherent and inalienable rights of every individual. Human rights are the rights of the individuals and every Government must respect and safeguard these rights.

The most significant fact of modern India is the advancement of women in each and every field. Human Rights have played very important and significant role for women status from third generation (social solidarity) as well as taken pain and efforts to enforce the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). CEDAW is an international treaty adopted in 1979 by the United Nations General Assembly. Because of CEDAW several changes took place in the areas of education, employment, awareness of rights of women, the active political participation and various types of laws enacted for the upliftment of women in the society.

Under the Constitution, despite both men and women are enjoying equal rights and having equal status, still women are victim at the hands of men.

Status of Women:

a. Ancient:

Indian woman enjoyed a comparatively high status during the early Vedic period i.e 2000 B.C. to 1000 B.C. Woman was regarded as the productive member of the society. She enjoyed the religious right as that of men. The Rig Veda provides, ample evidence to prove that, the concept of equality of woman with men as regards access and capacity to acquire the highest knowledge, even the absolute knowledge.

The great women during the ancient period who not only showed their bravery, intelligence but also let us know that, freedom and human rights are worth fighting for. Sita, who was a princess, but choose to live with a husband and experience the hardship which he would be facing during his stay in the forest. Draupadi, she was also a princess and married to Arjun, who was one of the pandavas. She was wife of all the five pandavas. Savitri, who was living a forest and married him. When she found that, the God of death, Yamraj was taking away the soul of her husband she followed him and being impressed by her dedication gave her boon and she asked for the life of her husband.

b. Medieval:

During the medieval period, the status of women was very deteriorated. The status of women was reduced to that of slaves. They were being treated as burden, they did not have the right to inherit or take their own decisions. The Purdah system, The Child Marriage, The Sati system etc. were to be faced by women. The women were given a inferior and secondary position. One of the evil which was faced by women in eh medieval period was the female infanticide. The birth of a girl child was supposed as a misfortune.

During the Medieval period, the Bhakti movement came into existence and was flourished, which gave a new class of men and women. Female poet-saints also played a significant role in the Bhakti movement. This was the Mughal period where the social movement of women was restricted. Still most of the Muslim women took active part in politics, e.g. Razia Sultan, Chand Bibi, Nur Jahan etc. Similary, Tara Bai wife of Rajaram, Rani Ahilya Bai, Rani Lakmibai, Jija Bai mother of Shivaji etc. played a very significant role. There are so many examples of great women who have fought for their rights and the society as a whole.

Savitribai was the first teacher of India. She started learning when women were not allowed to study. She was a social reformer, educationalist and a poet from Maharashtra. She not only worked for improving women's rights but she also fought to abolish the discrimination and unfair treatment of people based on caste and gender.

Though women in every era were subject to all types of ill-treatment, but still they did not give up and fought for their rights.

c. Modern:

This was the period between from A.D.1700 to A.D.1947. During this the British rule came into India, when the purdah system in muslims, the sati, dowry, devdasis, caste system etc. in hindus was existing. There were some substantial progress in eliminating inequalities between men and women. Attempts were made by the social reformers as well as British to control or reduce the so called customs which were carried on from years together like that of child marriage, devadasi, purdah, sati, prohibiting a widow from remarriage.

Today, women in India are actively participating in each and every area where they have proved themselves and though a woman is regarded under as a wicker section, she has shown that, the sky is no limit for her. They have joined the armed forces, active participation in the politics, sports, media etc.

Rights of Women in the Modern Era:

The United Nations Member States in 1967, adopted the Declaration on the Elimination of Discrimination against Women, which states that, Discrimination against women is an offence against human dignity and calls on States to "abolish existing laws, customs, regulations and practices which are discriminatory against women and to establish adequate legal protection for equal rights of men and women". Later a proposal for a legally binding treaty on women's rights was made. The Convention on the Elimination of All Forms of Discrimination against Women was adopted by the General Assembly in 1979. Its preamble explains that, despite the existence of other instruments, women still do not enjoy equal rights with men.

At the World Conference in Vienna they specifically recognized that women's human rights are part of Universal Human Rights. As mentioned above, the Vienna Programme of Action also explicitly stressed the importance of eradicating "any conflicts which may arise between the rights of women and the harmful effects of certain traditional or customary practices, cultural prejudices and religious extremism."

In India, The Constitution of India, has guaranteed various rights for women. To bring her in the flow of society, she is given various rights: Constitutional as well as Legal. Though in today's time, special rights are granted to women, but still in this male dominating society she is being illtreated in every possible way. They are struggling to maintain their freedom and dignity. Still majority of women in India particularly in the rural area, are unaware about their rights which are guaranteed to them under the Constitution.

In this last four decade, the position of women has gradually increased to a top level but still in some or the other way she is being exploited. Today in each and every field women take part and work shoulder to shoulder with men and proved themselves to be the best. There are many examples to show that, women have stepped out of their four walls inspite of thinking about their status and rights given to them, are working and are on the highest level. Starting from the politics: Indira Gandhi was the Prime Minister of India and over 15 years represented India, India first President Pratibhatai Patil, Shushma Swaraj, Jaylalitha, Speaker of Rajya Sabha Smt.Sumitra Mahajan, Kalpana Chawla, Mericom,

Human Rights have played very important and significant role for women status from third generation (social solidarity):

When we talk about women, they regularly face and experience the problem of humiliation, beating, teasing, torture, rape, acid attack and now the newly coming up trend of Sexual Harassment at the Workplace. These are recognized as a violation of human rights but are ignored only because that the victim is a woman. This is the undeniable gender based discrimination.

The First-generation human rights, sometimes called "blue" rights, deal essentially with liberty and participation in political life. They are fundamentally Civil and Political in nature. Second-generation human rights are sometimes referred to as "red" rights are related to equality and began to be recognized by governments after World War II. They are fundamentally economic, social, and cultural in nature. Third-generation human rights are those rights that go beyond the mere Civil and Social, as expressed in many progressive documents of international law. The term "third-generation human rights" includes Group and collective rights, Right to self-determination, Right to economic and social development, Right to a healthy environment, Right to natural resources, Right to communicate and communication rights, Right to participation in cultural heritage, Rights to intergenerational equity and sustainability. Third-generation or 'solidarity' rights are the most recently recognized category of human rights. This right is the right to development, the right to peace, the right to a healthy environment, and the right to intergenerational equity. Alston (1982: 312) says that against the first and second generation of human rights, the third generation of human rights are both adequately dynamic and flexible to respond the demands and circumstances of new ages.

CONCLUSION

Human rights are the rights to all the human beings irrespective of nationality, sex, color, religion, language or any other status. The main objective is to uphold human dignity, equality and liberty as well as fraternity. Though there are various provisions for protecting the human rights specially that to women, various conference, seminar are organized, through various means awareness is created regarding protection of human rights but still when the question comes that of women, that time it is ignored. Though the Constitution of India is the greatest and biggest Constitution but it is not properly implemented.

Since the ancient period though the status of women was high in the medieval period it was lowered down and now in the modern age comparatively it is as good but still awareness about human right is must. Here not only the judiciary should play the active role to protect the human rights of women but various Organizations and mainly the government should take efforts and necessary steps to create awareness about human rights that to relating to women and most important is that the mentality of society should be changed.

REFERENCES

1. Protection of Human Rights (National & International Perspectives): Khwaja A. Muntaqim (1st Edition 2006) Law Publishers (India) Pvt.Ltd. Allahabad (India)
2. [Three generations of human rights - Wikipedia https://en.wikipedia.org/wiki/](https://en.wikipedia.org/wiki/Three_generations_of_human_rights)
3. Changing Dimensions of Human Rights and Duties, National Seminar.