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Human Rights of Women and Its Violation

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“To deny people their human rights is to challenge their very humanity”

– Nelson Mandela

Abstract:

Human Rights are basic and fundamental rights where men and women living in the world. Human rights are imply the rights relating to life, liberty, equality, fraternity, and security. The constitution of India adopted the equality of rights of men and women. The Universal Declaration of Human Rights is the foundation of the International system of preservation for human rights. It was declaration by the United Nation General Assembly on 10th December, 1948. Human beings are born equal in dignity and rights are entitled to all the rights and freedoms set forth in the declaration without any distinction of race, colour, sex, language, religion, property, birth or other status. But in Indian women faced so many discrimination, such as injustice, dishonour, and male dominated family, social, cultural and political status. Violation of human rights in India can be noticed either in the form of physical, Sexual and economic position. Any kind of violence against people the violation of human rights. Violation of women rights is one the most significant role in India. Many incidents like female infanticide, grid burning, rape, kidnapping etc. occurred frequently. India has been given more rights to women, but as compared to men, the condition of women is very miserable.

An attempt has been made in this paper to study on human rights of women in North East India. Particularly in Assam all the fundamental rights of women are being violated.

Keywords: Human Rights, Fundamental Rights, Violation Women Rights.

Introduction:

Human Rights are the rights which are possessed by all human beings irrespective of their race, caste, nationality, sex, language, religion, colour, property, birth or other status, because they are human beings. As pointed out by Fawcett, "Human rights are sometimes called fundamental rights or basic rights or natural rights. As fundamental or basic rights they are those which must not be taken away by any legislature or any act of government and which are often set out in a constitution. As natural rights they are seen as belonging to men and women by their nature. Another way to describe them would be to call them 'common rights', for they are rights which all men and women in the world should share, just as the common law in England, for example was the body of rules and customs which, unlike and customs governed the whole country."

No one can perhaps deny or underestimate need and necessity of human beings having certain rights. Declaration of Human Rights is a bold step forward in this regard. Though the declaration has legal value, yet its implementation is not without its problems. It is essential that the States should adopt the provisions of this declaration in their respective legal systems. There is also a need for setting up a universal court for Human Rights.

The concept of human rights evolved originally within province of domestic legislation of some States in form of great natural law documents like the Magna Carta (1215) in England, the Bill of Rights in the USA and the Declaration of Rights of Man in France. For the first time in the history of human civilization this concept was realised to the universal plan after the Second World War in 1948 when the Universal Declaration of Human Rights was adopted without dissenting vote. The fundamental human rights, in the dignity and worth of the human beings, in the equal rights of men and women and of nations both large and small.

It is one of the sole purposes of the United Nations to achieve international co-operation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinctions as to race, sex, language or religion. (Art; 1(3))

The Human Rights has been occupied top in the Indian's historical tradition and culture. According to philosophers, human rights are related with wisher moral law which is value of universal validity.

Further illiterate and ignorant people violated the Human Rights by indulging activities of externalists, insurgency dacoits etc. As they are ignorant of their rights and others rights.

Objectives:

The present paper is mainly based on the following objectives –

- 1) This paper tries to study the types of Human Rights violation in Assam's and its cause and impacts.
- 2) To highlight the various kinds of women violation among common people of Assam.
- 3) To suggest remedy from human violation.

Importance:

All human beings are entitled to rights and freedom for worth living satisfying and meaningful. Human life is incomplete without those rights are needed and progress is impossible. Valuable human rights are neglected by illiterate people and drunkard people in any time any place. Assam is worst place for sufferer of Human Right violation since independence. So, the study of human rights violation is most important at present situation of Assam.

Area of the study:

The present study is related Human Rights of Women and its violation in various parts of nation especially in Assam. Therefore, attempts have been made here to evaluate this violation and to find out fruitful measure to achieve the Human Rights.

Methodology:

The present study adopted historical and descriptive method of research. The study is mainly based on the secondary sources of data collected from the relevant books, journals, periodicals, records and websites.

Human Rights :

The slogan, 'Women's Rights are Human Rights' was first used at the UN World Conference on Human Rights in Vienna in 1993. Though the slogan 'Human Rights are Women's Rights' and 'Women's Rights are Human Rights' may at first appear to be trite, or at best truism. On the other hand it means that a real support of human rights is not possible. The human rights of women and of the girl child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, regional and international levels and the eradication of all forms of discrimination on ground of sex, World Conference on Human Rights in Vienna in 1993 were successful in integrating women's rights by recognizing rape, sexual, slavery and all forms of sexual harassment and exploitation as human rights issue.

The rights available to women in India can be classified into two categories, namely as constitutional rights and legal rights. The constitutional rights are those which are mention in the various provisions of the constitution. The legal rights, on the other hand, are those which are provided in the various laws of the parliament and the state legislatures.

Fundamental Rights :

Under the Constitution, its part III, the Constitution of India grants and guarantees Fundamental Rights to its citizens. “The State shall not deny to any person equality before law or equal protection of the laws with its territory.” Article 15 prohibits discrimination on the grounds of religion, race, caste, sex.

Article 16, the Constitution provides for equality of opportunity for all citizens shall on grounds of religion race, caste, sex, descent, place of birth, residence or any of them be ineligible for or discriminated against in respect of any employment or office under the State.

Gender equality is not only fundamental human rights, but also a necessary foundation for a peaceful, prosperous and sustainable world.

Liberty is the vital necessity for the fullest development of mind of the individual. The rights to life and personal liberty under Art 21, the Supreme Court of India has stated “A right to life cannot be limited to an animal existence.”

Violation of Women Rights:

In Assam women suffered various kind of human right violation since birth. Most violation of women rights are domestic violence, kidnapping, trafficking, rape etc. Women seem to suffer both at the hands of the perpetrators of such crimes, and of the police who fail to sufficiently aid victims.

Assam often takes pride and claims that the Assamese society holds women in high esteem in comparison to that of other States, especially in mainland India. The National Crime Records Bureau (NCRB) clearly state that the rate of crimes against women in Assam stood at 166 in 2018 – which is almost three times more than the national average rate of 58.8; and marginally above the Delhi’s crime rate of 149.6. Accordingly to the NCRB report, Assam had registered 23,082 and 27,728 crimes against women during 2017 and 2018 respectively. In 2017, the rate of crime against women in Assam was 143.3 against the national figure of 57.9.

In India 2020 report shows that the rate of crime against women in Assam was 154.3, way higher than the national rate of 56.5. Odisha came second with 112.9 and Delhi, considered the most unsafe place for women, came third with 106.4.

In 2020, Assam recorded 26 instances of rape cum murder / gang rap – the third highest figure in the country after Uttar Pradesh 31 and Madhya Pradesh 27.

“Last year, the rate of crime against women in Assam could have been higher due to the Covid-19 Lockdown, people were struck in their homes for days and they could have attacked their spouses or other women” said Polly Vallquiline, head of department of women’s studies in Gauhati University.

Guwahati : 181 Sakhi; a toll-free 24×7 helpline number for women in distress, has received 1,214 complaints for crimes against women in its first 420 days of operation, a report of the helpline service has stated.

The number was opened on March 15 last year. Since then, 1,218 total cases have been registered – 1,214 cases of crimes against women, including 30 cases of crimes against elderly women and four cases under social welfare.

Causes of Right Women Violation in Assam :

Domestic violence, kidnapping and molestation failure of state machinery etc. are main cause of Women Rights violations. Traditional customs and norms, socio-economic factors & political may be the causes of women rights violation in Assam. Abuses and discrimination are main cause of Women Rights violation. Abuses of Women Rights often lead to conflict and conflicts results women rights violations. There is more likely of causing tensions which rise to justice conflict leading women rights violations. So this is the short-description of the causes of women rights violation.

Consequences of Women Rights Violations:

Violence against women is one of the most common human rights violations. It is an expression of unequal power relations between men and women.

Violence against women is one of the most frequent human rights violations. It is a threat to women’s lives, it puts their physical and psychological health at risk and it is a threat to the well-being of their children, with consequences for the whole community.

So the consequences of this violence are to be found not only at the individual level but also and particularly, at the structural level. Gender justice cannot be established unless misogynist structures are resolved. Only then will be women able to live a life free of violence.

Finding:

1. Women face violence inside and outside in their workplace as well as their family.
2. They are being demanding to ensure their education and health.
3. Women have become self-depending due to education.
4. Self-confidence has increased among women.
5. Participation of election in Panchayat Raj institution.
6. Women are access to education, employment and health care.

Suggestions:

To ensure for women education and awareness their save and security in society.

Although rights are provided by the Constitution of India for women of political empower, but women couldn't fully attained in political empowered.

Sometime government and society take to awareness camp among the women, about their rights is violated.

The women should be encouraged to organize themselves.

It is also necessary to take responsibility of society, family member, violence against women.

Conclusion:

It is painful to notice that despite theoretical constitutional equality for all men and women. Violence against women is perhaps the most shameful human rights violation. Women are the present and future of a society. Without women our earth is stop. Traditionally women have attained a remarkable position in every field and their life style is improved, they are in no way inferior to men. Women have also started reaching out to State agencies for justice. There is no denying the fact that the women have confronted with some problems in pursuing education such as communication to problem and from the school, lack of aspiration of parents, absence of strong women organisation and due to illiteracy of parents. In this view it is essential to create awareness among women about the rights, education and government service and their status. In the political field India has a remarkable history with women that the Prime Minister to the Governor and the President. Now women are IAS, IPS, doctor, lawyers and top bureaucrats. So everyone should given a well status in the society.

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