

Research Paper

Education



Human Rights and Multi Dimensional Discrimination against Women in India

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ABSTRACT

This paper highlights human rights and multi-dimensional discrimination against women in India. "Our women have more rights than women of other countries, but there are large areas wherein women are suffering, where, may be they are not conscious of their rights" (Gulshan, 1975) The General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights on 10th December, 1948. All the member countries were called upon to publicize the text of the declaration and to propagate its cause in all places, particularly in schools and other educational institutions. Totally there are thirty articles in the Universal Declaration of Human Rights. These rights have a direct bearing on all facets of human life. A major step towards the attainment of the goal of equal rights for women was taken on 18 December 1979, when the General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against women. Some of the Articles of the UN Charter highlights about the women discrimination and others etc

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"Our women have more right's than women of other countries, but there are large areas wherein women are suffering, where, may be they are not conscious of their rights" (Gulshan, 1975)

The General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights on 10th December, 1948. All the member countries were called upon to publicize the text of the declaration and to propagate its cause in all places, particularly in schools and other educational institutions. Totally there are thirty articles in the Universal Declaration of Human Rights. These rights have a direct bearing on all facets of human life.

Every human being is entitled to all rights, freedom, remedy and protection set forth in the declaration. These rights are enshrined in the Indian Constitution too, as our preamble of our Indian Constitution indicates:

"We, the People of India, having solemnly resolved to constitute India into a Sovereign Socialist Secular Democratic Republic and to secure to all its citizens:

Justice : Social, economic and political

Liberty : of thought, expression, belief, faith and worship;

Equality : of status and of opportunity and to promote among them all,

Fraternity: assuring the dignity of the individual and the unity and integrity of the Nation".

Some of the Articles of our Constitution completely give stress on the rights of Women in our country as under :

1. Article 15(1):

The state shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them".

2. Article 15(3):

"Nothing in this article shall present the state from making any special provision for women and children".

3. Article 16(1):

"There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office 'under the state'".

4. Article 39(a):

"The state shall, in particular, direct its policy towards securing that the citizens, men, and women equally have the right to an adequate means of livelihood".

5. Article 39(d):

"That there is equal pay for equal work for both men and women".

6. Article 39(e):

"That the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to the age or strength".

7. Article 46:

"The state shall promote with special care the educational and economic interests of the weaker section of the people and, in particular, of the Scheduled Castes and the Scheduled Tribes and shall protect them from social injustice and all forms of exploitation".

A major step towards the attainment of the goal of equal rights for women was taken on 18 December 1979, when the General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against women.

Some of the following Articles of the UN Charter highlights that :

Article 1 :

The term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other fields.

Article 2(e):

"To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise".

Article 2(f):

"To take all appropriate measures, including legislation, to

modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women”.

Article 3:

“States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation to ensure the full development and advancement of women”.

Article 5(b):

States parties shall take all appropriate measures to ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children.

Article (b)

“.... to suppress exploitation of prostitution of women”

Article (7)

“States parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country.

Article (10)

States parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education, (e) the reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely.

Article (11)

“States parties shall take all appropriate measures to eliminate discrimination against women in the field of employment...”

Article 14(2)

“States parties shall take all appropriate measures to eliminate discrimination against women in rural areas”.

Article (16)1

“States parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations”.

The Late Prime Minister Rajiv Gandhi emphatically underlined this very role of women while addressing to meeting of the National Committee on Women at New Delhi on May 18, when he said that women have to awaken fully to the need of the hour, and consider reservations for women on elected bodies in the country would help in enhancing their contribution (the Draft National Perspective Plan for Women 1988-2000).

More and more when the world over will emerge as employers, entrepreneurs, bankers, all politicians in the next 10 years but it is low in our country.

Newly educated women everywhere are choosing from a wider range of careers, whereas women graduates enter into relatively few occupations often teaching, graduates have chosen careers in medicines, law, banking and insurance.

At things have been, however, it has been easier for employers to pay women, particularly part time women workers, less than men, in most industrial countries, at least four out of five part timers are women, employees prefer to employ women because they are ready to work for less money and are less likely to join trade Unions than men.

Every third women living in Tamil Nadu is 'literate' against the national figure of our country but it is not the case in other parts of the country, due to male-dominating factors of society.

In India's male-dominated development planning, women virtually do not exist. This request of the population is largely neglected in policy planning and resource allocation. Take

for example the rural women. They are victims of agrarian reforms, rural development transfer of technology, commercialization of agriculture and privatization of land.

According to one of the study made by Kumud Sharma of the Centre for Women's Development Studies (CWDS) – invisible rural women as largely neglected in national development policies and planning. She notes that with more and more area being converted into cash crops there is a decline in the area under food crop. The result has been a decline and women's productivity in agriculture “reducing their access to food and affecting the nutritional level of the households”.

Forest development policies with the emphasis on its commercial exploitation have adversely affected the interest of women who rely on forests for fuel, fodder and food.

In the industrial sector export-oriented units employ women on low wages with inadequate protections of labour laws and trade unions. The new industries (electronics, against, food processing etc.) linked to the world system of production have created new forms of women's exploitation.

Women's role in economy is much more profound than that of men. According to ASTRA (Application of Science and Technology in Rural Areas) women contribute 53% of the human energy in the rural areas compared to a nearly 37% by men. This includes energy spent in gathering firewood, fetching of water and cooking.

Women spent about six hours a day on survival related agricultural practices as compared to four hours by men. In addition to this women perform other tasks like fetching water, caring for the child etc. but they are not much rewarded by their counterparts in any respect in our Indian society.

One of the National Sample Survey has found that women work in their own farms as a helper (30.39 percent) then as workers in their own rights as compared to men where 49.54 percent work in their own right and only 20.4 percent as helpers.

After independence Indian Government has made several laws to improve the constitution of women workers from time to time. Working conditions in factories are regulated by the Factories Act, 1948 which prescribe a 48 hour week for adult men and women workers Factories employing over 30 women workers are required to provide a crèche for their children. According to the Minimum Wages Act 1948, Minimum Wages should be fixed after suitable intervals not exceeding five years. However, the labour Ministers' conference in July 1980 recommended that the revision of minimum wages should be made within two years.

With a view to giving effect to the constitutional provisions as well as to ratify the ILO convention No. 100, the Equal Remuneration Ordinance, 1975 was promulgated on September 26, 1975, the ordinance was replaced by the equal Remuneration Act 1976. This Act provides for the payment of equal remuneration to men and women workers for the same work or work of similar nature and for the prevention of discrimination against women in matters of employment but unfortunately it is not happened in either rural areas or in urban areas.

No doubt Government of India has already started several poverty alleviation programmes like Integrated Rural Development Programme (IRDP), National Rural Employment Programme (NREP), Rural Landless Employment Guarantee Programme (RLEGP) and Jawahar Rojgar Yojna (JRY). In spite of all these developmental programme run by Government of India, our women are lagging behind in the area of education, economic, political and social not only at grass root level but also at the National level in entire society. We should respect women of our country and protect them in all dimension of their life like social, education; political, economic etc. We should encourage women in home and in society in general to come forward for their development. Last but not least, we should keep always in mind that our beloved mother is also a WOMAN.

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