

Women's Rights are Human Rights

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Abstract

Worldwide violence affects the lives of millions of women, in all socio-economic and educational classes. It cuts across cultural and religious barriers, impeding the right of women to participate fully in society. Violence against women takes a dismaying variety of forms from domestic abuse and rape to child marriage and female circumcision. All are violations of most fundamental human rights.

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The term “women’s human rights” and the set of practices that accompanies its use are the continuously evolving product of an international movement to improve the status of women. In the 1980s and 1990s women’s movement around the world formed networks and coalitions to give greater visibility to both the problems that women face everyday and to the centrality of women’s experience in economic, social, political and environmental issues.

During the United Nations Decade for Women (1976-1985) women from many geographical, racial, religions, cultural and class backgrounds took up organizing to improve the status of women. In the late eighties and early nineties, women in diverse countries took up the human rights framework and began developing the analytic and political tools that together constitute the ideas and practices of women’s human rights.

The Universal Declaration of Human Rights defines human rights as universal, inalienable and indivisible. In universal

these defining characteristics are tremendously important for women’s human rights. The universality of human rights means that human rights apply to everyone equally for everyone is equal in simply being human.

The idea of human rights is inalienable means as that it is impossible for everyone to abdicate her human rights, even if she wanted to, since every person is accorded those rights by virtue of being human. It also means that no person or group of persons can deprive another individual of his or her human rights. Thus, for example, debts incurred by migrant workers or by women caught up in sex trafficking can never justify indentured servitude (slavery), or the deprivation of food, of freedom of movement, or of compensation. The idea of inalienable of rights means that human rights cannot be sold, ransomed and forfeited for any reasons. The idea of inalienability has also been important in negotiations over the priority given to social, religious and cultural practices in relation to human

rights. For decades, work to transform practices which are physically or psychologically damaging to women and that have often been “protected” under the rubric of religion, tradition or culture particularly difficult, given both the integrity of culture guaranteed by the Universal declaration and the history of Northern domination in much of the world.

The concept of women’s human rights has opened the way for women around the world to ask hard questions about the official inattention and general indifference to the widespread discrimination and violence that women experience everyday.

The United Nations World conference on Human Rights held in Vienna in 1993 was the first such meeting since 1968, and it became a natural vehicle to highlight the new visions of human rights thinking and practice developed by women. Its initial call did not mention any women nor did it recognize any gender specific aspects of human rights in its proposed agenda. Since the conference represented a historic reassessment of the status of human rights, it became the unifying public focus of a worldwide global campaign for Women’s Human Rights abroad and loose international collaborative effort to advance women’s human rights.

By the time the World conference convened, the idea that ‘women’s rights are human rights’ had become the rallying call of thousands of people all over the world and one of the most discussed “new” human rights debate. The Vienna

declaration and Program of action, which is the product of the conference and is meant to signal the agreement of international community on the status of human rights, states unequivocally that The human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights Vienna Declaration (1993).

Although the framework of women’s rights has been tremendously useful in efforts to lobby for legislative and policy changes at local, national and international levels, it has been an as equally important tool for grassroots organizing. Women’s human rights not only teach women about the range of rights that governments must honour; it also functions as a kind of gestalt by which to organize analyses of their experiences and plan action for change. The human rights framework creates a space in which the possibility for a different account of women’s lives can be developed. The fundamental principles of human rights that accord to each and every person the entitlement to human dignity give women the vocabulary for describing both violations impediments to the exercise of their human rights. The large body of international covenants, agreements and commitments about human rights gives women political coverage and a tenable point of reference.

The platform for action adopted at the Fourth World Conference on women declared that rape in armed conflict is a war crime and could under certain circumstances, be considered genocide.

In many countries women fall victim to traditional practices that violate their human rights. Early marriage especially without the consent of the girl is another form of human rights violation. Early marriage followed by multiple pregnancies can affect the health of women for life.

Women are physically or verbally abused. They also suffer sexual and physical torture. According to Amnesty International thousands of women held in custody are routinely raped in police detentions worldwide. Women are not getting the position which they deserve. Women are not valued. People don't understand that Human Rights are Women Rights. The Human rights that are provided to us are not only for men rather women have equal right to enjoy them. But unfortunately, we are living in a man dominant society where all the rights are enjoyed by man alone.

The truth, however, which states us the face, indicated clearly the pitiable condition of women trapped in the web of socio-cultural factors such as superstitions and blindly perpetuated by male dominant society. The saga of Indian women is twisted with cruel, inhumane and pathetic attacks on her physical, emotional, social, political and even spiritual growth. Her struggle for survival has continued from the womb to tomb.

Passing laws to criminalise violence against women is an important way to redefine the limits of acceptable behaviour. States should ensure that National Legislation, once adopted does

not go unenforced. State responsibility is clearly defined in Article 4 of the Declaration on Elimination of Violence against women, which stipulates that States should exercise due diligence to prevent, investigate and in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons.

Any approach designed to combat violence must be twofold, addressing the root causes of the problem and treating its manifestations. Society at large, including judges and police officers, must be educated to change the social attitudes and beliefs that encourage female violence.

The meaning of gender and sexuality and the balance of power between women and men at all levels of society must be reviewed. In many countries women have a low status. They are considered as inferior and there is a strong belief that men are superior to them and even own them.

Changing people's attitude and mentality towards women will take a long time – at least a generation, many believe and perhaps longer. Nevertheless, raising awareness of the issue of violence against women, and educating boys and men to view women as valuable partners in life, in the development of a society and in the attainment of peace are just as important as taking legal steps to protect women's human rights.

It is also important in order to prevent violence, that non violence means be used to resolve conflict between all

members of society. Breaking the cycle of abuse will require concerted collaboration and action between government and non government actors, including educators, health-care authorities, legislators, the judiciary and the mass media.

The Government of India set up a High Level Committee on the Status of women to undertake comprehensive study to understand the status of women since 1989 as well as to evolve appropriate policy interventions based on a contemporary assessment of women's needs. (Resolutions No 4-5/2009-WW dated 27th February, 2012 and 29th June, 2012 of Ministry of Women and Child Development). The committee consisted of Chairperson, Member of Secretary and seventeen members. The High Level Committee presented its first copy of the Preliminary Report to the Minister for Women and Child Development on 3rd February, 2014. The High Level Committee identifies Violence against Women, declining sex ratio and economic disempowerment of women as three key burning issues which require immediate attention of the nation, and action by the government.

In my views these are the actions to be taken by the government to protect women's rights:

1. Give priority to promoting and protecting the full and equal enjoyment by women and men of all human rights and fundamental freedoms without distinction of any kind as to race, colour, sex language, religion, political or other

opinions, national or social origins, property, birth or other status.

2. Provide constitutional guarantees and/or enact appropriate legislation to prohibit discrimination on the basis of sex for all women and girls of all ages and assure women of all ages equal rights and their full enjoyment.
3. Review national laws, including customary laws and legal practices in the areas of family, civil, penal, labour and commercial law in order to ensure the implementation of principles and procedure of all relevant international human rights instruments by means of national legislation, revoke any remaining laws that discriminate on the basis of sex and remove gender bias in the administration of justice.
4. Take urgent action to combat and eliminate violence against women, which is a human rights violation, resulting from harmful traditional or customary practices, cultural prejudices and extremism.
5. Prohibit female genital mutilation wherever it exists and give vigorous support to efforts among non-governmental and community organizations and religious institutions to eliminate such practices.

At last the Human Rights of women and girl child are an inalienable integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discriminations on grounds of sex are priority objectives of the international community.

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