



E-ISSN: 2706-8927
P-ISSN: 2706-8919
www.allstudyjournal.com
IJAAS 2020; 2(2): 175-178
Received: 25-01-2020
Accepted: 27-02-2020

Caroline Satur
Principal, M.L.B Govt.
Multipurpose Girls Hr. Sec.
School-Bilaspur District
Chhattisgarh, India

Dr. Sunil Gouraha
Sports Officer, Rajiv Gandhi
Govt. P.G. College,
Ambikapur-Sarguja District
Chhattisgarh, India

Corresponding Author:
Caroline Satur
Principal, M.L.B Govt.
Multipurpose Girls Hr. Sec.
School-Bilaspur District
Chhattisgarh, India

An analytical study to prove that exploitation against women is a violation of human rights

Caroline Satur and Dr. Sunil Gouraha

Abstract

“Human rights are women’s rights, and women’s rights are human rights”.

-Hillary Clinton

The recent global movement for women’s human rights has achieved considerable re-thinking of human rights as previously understood. Since many of women’s rights’ violations occur in the private sphere of family life, and are justified by appeals to cultural or religious norms, both families and cultures (including their religious aspects) have come under scrutiny. The recognition of women’s rights as human rights has been taking place on the global stage-from the grassroots to the international conference levels- in the last two decades. This has required considerable re-thinking of human rights. Many specific human rights that are crucial to women’s well-being need to be identified and acted on to stop clearly gender-related wrongs. This paper shows how many such rights cannot be recognised as human rights without some significant challenges both to that concept itself and to some institutions basic to the various human cultures, certainly families and religions. Some of the interesting connections are explored; because some of women’s most basic rights-to freedom of movement and to work outside of the home, and to bodily integrity and freedom from violence-have been very much in the news. In this paper it has been attempted to analyse and prove that violence to women is a violation to human rights

Keywords: Human rights, women exploitation, violation, challenges

Introduction

There are so many issues of women exploitation in India. In India, when a woman is sexually harassed or exploited by someone and wants to get justice in favour of her then she is pressurised by her parents and society not to go for the help of police because the basic mentality of Indian society is that if any woman goes to the police station to get valuable justice then it is a very big mistake and insult to her in society. That’s why Indian women can’t get proper and fair justice. Another issue is that the police force in India do not properly perform their duty in transparent manner for women welfare, so that, when a woman is trying to get her case registered, then her case is manipulated by corrupted police officers because some of the corrupted officers humiliate the right of exploited women in consideration of greed of getting money from criminal party. That’s why women are abused by them and do not get any transparent justice and back out their steps towards her case. A teenager girl of XII standard committed suicide due to continuous harassment by three men in Ghaziabad in October, 2015 and a two and half year’s minor girl in Delhi was raped and then cruelly thrown to the park by two men in October 2015. This is the real picture of modern India. The major issue of women exploitation in India is the awareness problem. Most of the Indian society lacks in awareness about how to get their complaint registered in a police station and what is the procedural work after registering the case of sexual offence in a police station. This is why Indian women are highly exploited in modern era of 21st century. Violence against women is a violation of human rights and fundamental freedom of women. Violence against women is an obstacle towards gender equality. Women are entitled to equal enjoyment.

Protection of all Human Rights and fundamental freedoms that include among others are:

The right to life. The right to equality. The right to liberty and security of person.

The right to equal protection under the law.

The right to be free from all forms of discrimination.

The right to the highest attainable standard of physical and mental health.

The right to just and favourable conditions of work.

The right not to be subjected to torture, or other cruel, inhuman or degrading treatment or punishment.

(UN Declaration on the Elimination of Violence against Women, 1993)

Violence against women is a social (economy, health, welfare, politics) problem and not a private problem of each individual woman or a family. Violence against women means any act of violence that results in or is likely to result in physical, sexual or psychological harm or suffering to women. It also includes threats with such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. (UN Declaration on the Elimination of Violence against Women, 1993) Violence against women includes, but it is not limited to violence occurring in the family, marital rape or rape in a relationship, other sexual abuse, sexual harassment at work, trafficking in women and girls with intention of sexual and other forms of exploitation, forced prostitution, abortion of female fetuses and infanticide of baby girls, traditional practices harmful to women such as genital mutilation, forced or too early marriage, widow burning, honour killing, acid attacks, stoning, war rape, etc. Violence against women is a consequence of an established gender inequality within society and of existing structures of power in gender relations. It is rooted in cultural patterns, especially in harmful influences of particular traditional practices or customs, education systems, religious beliefs and media influences. Violence against women perpetuates gender inequality and stands as an obstacle to achievement of equality, development and peace.

Violence against women restricts women in all areas of social life and their access to sources, services and activities. It is also a reason for so called hidden homelessness of women and their children, who have to move to safe houses, maternity homes or to their relatives' homes. Violence against women is an additional reason for poverty of women and their children. It is difficult for women to leave an abusive partner due to a lack of financial independence, high unemployment rate, low social and health-care security, housing problems, fear of losing children, lack of protection by state institutions, etc. These are all risk factors, making it more difficult, longer and less effective to end violence against women. They significantly contribute to the increasing social exclusion of domestic violence victims and lower their chances for financial and other independence.

Definitions of Terms

Exploitation: The act that exploits or victimises someone or the action or fact of treating someone unfairly in order to benefit from their work is termed as exploitation.

Violation: An action that breaks or acts against something, especially a law, agreement, principle, or something that should be treated with respect is called violation.

Human Rights: Rights which are commonly understood as inalienable fundamental rights to which a person is inherently entitled simply because she or he is a human being, and which are inherent in all human beings regardless of their nation, location, language, religion, ethnic origin or any other status are called human rights.

Human Rights Violation: Human rights violation is any

action that violates the personal freedom and rights of a human being.

Review of Literature

Fimate and Devi (1998) ^[2] found that in most of the rape cases, victims were acquainted with rapist.

Kruthika (2013) found in their study that women respondents responded that they have tolerate sexual harassment (3.9%) and experienced domestic violence due to drinking and gambling habit of husband.

Kapoor and Dhingra (2013), analysed many causes which trigger sexual assault and rape i.e. dominance nature of men over women, revenge, alcohol and drugs etc. view point of society that rape and sexual assault took place just because of wearing style of women and late night parties, friendly behaviour of women with men.

Madan (2014) ^[4] analysed in their research that females are not considered equal to the males. Even women literacy regarding their rights is not playing a prominent role to aware them.

Sarkar et.al, analysed with 90 rape victims that majority of victims were raped in their house (41%) and rapists were known persons. Majority of female victim's age were 11-20 years, further most of the victims were Hindus.

Solidarity of the Nation Society (2009), reported that majority of women were married in the age of 16-20 years, most of the respondents were illiterate, women responded that their participation was nil in family decision making, all the decisions of family issues are taken by their husband, father-in law and mother-in-law. Most of the women had experienced physical violence such as beating, pushing, slapping and sexual abuse.

Suri and Sanjeeda (2013) ^[7] collected data from 100 rape victims and found that majority of respondents were uneducated, unmarried (96%) and from lower social background. Mostly victims were teenagers. Most of the Victims were from lower and middle social segments, these segments had no awareness about their rights.

UN Women (2011) reported that 10% women tolerated sexual violence whereas 35.1% physical violence by their husband during life.

Statement of the Problem

Exploitation of women is a very serious problem and with the passage of time, days and society, there are a lot of movements relating to this exploitation but men are forward in status as compared to women and Indian society is male dominated where females are being exploited spatially. There was violence against women in ancient India, but there was strong punishment for that offence irrespective of caste. But now an exploited woman who lives in society, cannot get justice even though various laws have been introduced in favour of Indian women. In our day to day life, we see and hear various news regarding gang rape, minor rape, kidnapping and then murder of girls. Whenever we turn on the TV and radio, the same news is telecasted. Record books of police stations have many cases of these heinous crimes. Hence I chose this research topic, "An Analytical Study to prove that Exploitation against Women is a Violation of Human Rights".

Objectives

Following are the objectives of the present study:

1. To examine the issue of violence against women in India.
2. To examine and analyse the stages of women exploitation and violence.
3. To prove that women exploitation is a violation to human rights.
4. To provide some suggestions to overcome such issues.

Research Methodology

The present study was carried out from the secondary data. Collection of data on violence against women in India has been carried out from various journals, newspapers, magazines and various reports of National Crime Records Bureau Report during the study period and Issues of Women Exploitation in India.

Results and Discussion

As per availability of National Crime Records Bureau data, very large number of exploitations such as kidnapping, dowry, torture, rape, sexual harassment and all other crimes that come under Indian Penal Code (IPC) and Special and Local Laws (SLL) offences which occurred, were duly registered during this study period, which indicates the real picture of recent India not only against women exploitation but also a disastrous violation of human rights.

Conclusion

Though the status of women in India, both historically and socially, has been one of respect and reverence, but the real truth is that even today they are struggling for their own identity and shouting for their own esteem. Despite the constitutional guarantee of equality of sexes, rampant discrimination, exploitation of women still continues in India. It is high time now that women get a respectable and dignified position in the Indian society. Awareness in women and in society should be created and their equal rights should be effectively implemented. All crimes against women must be made punishable. In Indian society, it is essential that all women get educated so that they be able to solve their own problems and women issues in any circumstances in order to live with honour and dignity, to gain strength and a social status. Every woman has a fundamental right to be safe. When a woman is violated or exploited, it is a heinous violation to human rights. All crimes committed against women and especially the recent rape incidents in the last few years have created fear in women, which I think is very serious and unfortunate. The court should consider this fact and a speedy trial resulting into the harshest punishment possible for those brutes who commit such heinous crimes, which will not only remove that fear, but will also ensure that a person will think twice before committing such crimes.

Suggestions to Overcome this Problem

There must be self-defence training mechanisms established at district levels and educational institutions along with academics and girls should also be motivated to participate in such training programs, so that they can fight against crime themselves and become confident too.

So many girls are there, who don't lodge an FIR against the crime that happens to them due to the fear of society that they would be accused for all what happened with them. So all we need to do is to create such a healthy environment for victims that they feel free to tell society and the police

whatever they faced. Our step will help the victims to raise voice against this crime and to get justice.

No doubt, there are many laws for these crimes but law and order needs to be more firm and strong regarding the culprits. Special provisions regarding women's safety should be passed in our parliament.

Girl education and various awareness programs need to be promoted because majority of victims are found illiterate or uneducated (Suri & Sanjeeda 2013) [7]. So a firm education system for women must be developed.

Police force must be more active to play a vital role to overcome this problem.

"Unity is Strength"- so the victim must never be left alone, in fact, someone ought to be with her to get justice. We all have to break the dirty politics of our politicians over this matter and have to establish a central cell together to fight against this crime.

Separate police stations have to be established for women in each and every state of India at all district levels and all the criminals of sexual offences must get death punishment, like in the case of Nirbhaya of Delhi.

The most important thing is the parental support of sexually harassed girls provides a valuable strength in this fight. If each and every parent of an exploited girl takes the strongest step against such criminals and to support their child's dignity through law, then their parental support will overcome such problems.

Indian women constitute equal rights as men, but this equality is only limited to books, not in practical life. Hence, it is very essential for women to be aware of their fundamental rights so that they can protect themselves from this violence and fight against sex discrimination.

Authenticated NGO's should be established for the help of exploited women so that they can easily access them to get timely assistance and fair justice. It should be assured for girls and boys to receive upbringing and education which neither encourage traditional society and cultural patterns about the role of girls and boys, nor foster prejudice or stereotypes about each gender.

It is important to strive towards creation of social climate with no tolerance for violence against women or any other form of violence. The conviction that violence against women is not acceptable should become a generally accepted norm. It is necessary to provide women with effective protection from violence, and to give clear message to perpetrators of violence that they will be punished according to the law for causing violence.

References

1. Delhi Police (The Hindu news Staff Reporter New Delhi, 2013).
2. Fimate L, Devi M. "An analytical study of rape in Manipur", International Journal of Medical Toxicology and Legal Medicine. 1998; 1:1-2.
3. Kiruthika. "A statistical study on nature and extent of violence against women in Puducherry", IOSR Journal of Humanities and Social Science (IOSR-JHSS). 2013; 18(1):01-05.
4. Madan, Sonu. "Nature & extent of violence against women in India", Vinayek Global Research Review. 2014; 1(1&2):23-31.
5. NDTV.com S.C Sarkar S, Lalwani R, Rantji DN, Bhardwaj, Dogra TD. "A study on victims of sexual offences in South Delhi", (ssrn.com).

6. Socio-Economic & Educational Backward of Victims of Domestic Violence in India, Solidarity of the Nation Society, 2009.
7. Suri, Sanjeeda. "An analytical study of rape in Delhi", International Journal of Education and Psychological Research (IJEPR). 2013; 2(3):60-68.
8. Varoon Kapoor, Kanika Dhingra. "Sexual harassment against women in India", OIDA International Journal of Sustainable Development, 2013, 85-92.