

## WOMEN RIGHTS AND THEIR EMPOWERMENT

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### Abstract

*Women empowerment is a debatable subject. At earlier time they were getting equal status with men. But they had faced some difficulties during post-Vedic and epic ages. Many a time they were treated as slave. From early twenty century (national movement) their statuses have been changed slowly and gradually. In this regard, we may mention the name of the British people. After then, independence of India, the constitutional makers and national leaders strongly demand equal social position of women with men. Today we have seen the women occupied the respectable positions in all walks of the fields. Yet, they have not absolutely free from some discrimination and harassment of the society. A few numbers of women have been able to establish their potentialities. Therefore, each and everyone should be careful to promote the women statuses.*

### Introduction

Women's empowerment in India is heavily dependent on many different variables that include geographical location (urban/rural), educational status, social status (caste and class), and age. Policies on women's empowerment exist at the national, state, and local (Panchayat) levels in many sectors, including health, education, economic opportunities, gender-based violence, and political participation. However, there are significant gaps between policy advancements and actual practice at the community level. The impact of the patriarchal structure can be seen in rural and urban India, although women's empowerment in rural India is much less visible than in urban areas. This is of particular concern, since much of India is rural despite the high rate of urbanization and expansion of cities. Empowerment for women in India requires a crosscutting approach and one which addresses the diversity of social structures that govern women's lives. Identity politics in India is a very critical political instrument, which is both used and abused throughout political and social institutions.

### What is Women Empowerment?

Women empowerment in simple words can be understood as giving power to women to decide for their own lives or inculcating such abilities in them so that they could be able to find their rightful place in the society.

According to the United Nations, women's empowerment mainly has five components:

- Generating women's sense of self-worth;
- Women's right to have and to determine their choices;
- Women's right to have access to equal opportunities and all kinds of resources;

- Women's right to have the power to regulate and control their own lives, within and outside the home; and
- Women's ability to contribute in creating a more just social and economic order.

Thus, women empowerment is nothing but recognition of women's basic human rights and creating an environment where they are treated as equals to men.

### **Empowerment of Women in India**

The concept of empowerment flows from the power. It is vesting where it does not exist or exist inadequately. Empowerment of women would mean equipping women to be economically independent, self-reliant, have positive esteem to enable them to face any difficult situation and they should be able to participate in development activities. The empowered women should be able to participate in the process of decision making. In India, the Ministry of Human Resource Development (MHRD- 1985) and the National Commission for Women (NCW) have been worked to safeguard the rights and legal entitlement of women. The 73rd & 74th Amendments (1993) to the constitution of India have provided some special powers to women that for reservation of seats (33%), whereas the report HRD as March 2002, shows that the legislatures with the highest percentage of women are, Sweden 42.7%, Denmark 38%, Finland 36% and Iceland 34.9%. In India "The New Panchayati Raj " is the part of the effort to empower women at least at the village level.

The government of India has ratified various international conventions and human rights instruments committing to secure equal rights to women. These are CEDAW (1993), the Mexico Plan of Action (1975), the Nairobi Forward Looking Strategies (1985), the Beijing Declaration as well as the platform for Action (1995) and other such instruments. The year of 2001 was observed as the year of women's empowerment. During the year, a landmark document has been adopted, 'the National Policy for the empowerment of women.' For the beneficiaries of the women, the government has been adopted different schemes and programs i.e. the National Credit Fund for Women (1993), Food and Nutrition Board (FNB), Information and Mass Education (IMF) etc.

### **Reasons for Empowerment of Women**

Today we have noticed different Acts and Schemes of the central government as well as state government to empower the women of India. But in India women are discriminated and marginalized at every level of the society whether it is social participation, political participation, economic participation, access to education, and also reproductive healthcare. Women are found to be economically very poor all over the India. A few women are engaged in services and other activities. So, they need economic power to stand on their own legs on par with men. Other hand, it has been observed that women

are found to be less literate than men. According to 2001 census, rate of literacy among men in India is found to be 76% whereas it is only 54% among women. Thus, increasing education among women is of very important in empowering them. It has also noticed that some of women are too weak to work. They consume less food but work more. Therefore, from the health point of view, women folk who are to be weaker are to be made stronger. Another problem is that workplace harassment of women. There are so many cases of rape, kidnapping of girl, dowry harassment, and so on. For these reasons, they require empowerment of all kinds in order to protect themselves and to secure their purity and dignity.

To sum up, women empowerment cannot be possible unless women come with and help to self-empower themselves. There is a need to formulate reducing feminized poverty, promoting education of women, and prevention and elimination of violence against women.

#### **Important Constitutional and Legal Provisions for Women in India**

The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women. Within the framework of a democratic polity, our laws, development policies, Plans and programmes have aimed at women's advancement in different spheres. India has also ratified various international conventions and human rights instruments committing to secure equal rights of women. Key among them is the ratification of the Convention on Elimination of All Forms of Discrimination against Women (CEDAW) in 1993.

#### **Constitutional Provisions**

The Constitution of India not only grants equality to women but also empowers the State to adopt measures of positive discrimination in favour of women for neutralizing the cumulative socio economic, education and political disadvantages faced by them. Fundamental Rights, among others, ensure equality before the law and equal protection of law; prohibits discrimination against any citizen on grounds of religion, race, caste, sex or place of birth, and guarantee equality of opportunity to all citizens in matters relating to employment. Articles 14, 15, 15(3), 16, 39(a), 39(b), 39(c) and 42 of the Constitution are of specific importance in this regard.

#### **Constitutional Privileges**

- i. Equality before law for women (Article 14)
- ii. The State not to discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them (Article 15 (i))

- iii. The State to make any special provision in favour of women and children (Article 15 (3))
- iv. Equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State (Article 16)
- v. The State to direct its policy towards securing for men and women equally the right to an adequate means of livelihood (Article 39(a)); and equal pay for equal work for both men and women (Article 39(d))
- vi. To promote justice, on a basis of equal opportunity and to provide free legal aid by suitable legislation or scheme or in any other way to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities (Article 39 A)
- vii. The State to make provision for securing just and humane conditions of work and for maternity relief (Article 42)
- viii. The State to promote with special care the educational and economic interests of the weaker sections of the people and to protect them from social injustice and all forms of exploitation (Article 46)
- ix. The State to raise the level of nutrition and the standard of living of its people (Article 47)
- x. To promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of women (Article 51(A) (e))
- xi. Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat to be reserved for women and such seats to be allotted by rotation to different constituencies in a Panchayat (Article 243 D(3))
- xii. Not less than one-third of the total number of offices of Chairpersons in the Panchayats at each level to be reserved for women (Article 243 D (4))

#### **Special Initiatives for Women**

- i. National Commission for Women: In January 1992, the Government set-up this statutory body with a specific mandate to study and monitor all matters relating to the constitutional and legal safeguards provided for women, review the existing legislation to suggest amendments wherever necessary, etc.
- ii. Reservation for Women in Local Self -Government: The 73<sup>rd</sup> Constitutional Amendment Acts passed in 1992 by Parliament ensure one - third of the total seats for women in all elected offices in local bodies whether in rural areas or urban areas.

- iii. The National Plan of Action for the Girl Child (1991- 2000):The plan of Action is to ensures survival, protection and development of the girl child with the ultimate objective of building up a better future for the girl child.
- iv. National Policy for the Empowerment of Women, 2001: The Department of Women & Child Development in the Ministry of Human Resource Development has prepared a “National Policy for the Empowerment of Women “in the year 2001. The goal of this policy is to bring about the advancement, development and empowerment of women.

### **Government Policies and Schemes for Women Empowerment**

Whatever improvement and empowerment women have received is especially due to their own efforts and struggle, though governmental schemes are also there to help them in their endeavor.

In the year 2001, the Government of India launched a National Policy for Empowerment of Women. The specific objectives of the policy are as follows:

- Creation of an environment through positive economic and social policies for full development of women to enable them to realize their full potential.
- Creation of an environment for enjoyments of all human rights and fundamental freedom by women on equal basis with men in all political, economic, social, cultural and civil spheres.
- Providing equal access to participation and decision making of women in social political and economic life of the nation.
- Providing equal access to women to health care, quality education at all levels, career and vocational guidance, employment, equal remuneration, occupational health and safety, social security and public life etc.
- Strengthening legal systems aimed at elimination of all forms of discrimination against women.
- Changing societal attitudes and community practices by active participation and involvement of both men and women.
- Mainstreaming a gender perspective in the development process.
- Elimination of discrimination and all forms of violence against women and the girl child.
- Building and strengthening partnerships with civil society, particularly women’s organizations.

The Ministry of Women and Child Development is the nodal agency for all matters pertaining to welfare, development and empowerment of women. It has evolved schemes and programmes for their benefit. These schemes are spread across a very wide spectrum

such as women's need for shelter, security, safety, legal aid, justice, information, maternal health, food, nutrition etc., as well as their need for economic sustenance through skill development, education and access to credit and marketing.

### Conclusion

In conclusion, it can be said that women in India, through their own unrelenting efforts and with the help of Constitutional and other legal provisions and also with the aid of Government's various welfare schemes, are trying to find their own place under the sun. And it is a heartening sign that their participation in employment- government as well as private, in socio-political activities of the nation and also their presence at the highest decision making bodies is improving day by day.

However, we are still far behind in achieving the equality and justice which the Preamble of our Constitution talks about. The real problem lies in the patriarchal and male-dominated system of our society which considers women as subordinate to men and creates different types of methods to subjugate them. The need of us is to educate and sensitize male members of the society regarding women issues and try to inculcate a feeling of togetherness and equality among them so that they would stop their discriminatory practices towards the fairer sex.

For this to happen apart from Government, the efforts are needed from various NGOs and from enlightened citizens of the country. And first of all efforts should begin from our homes where we must empower female members of our family by providing them equal opportunities of education, health, nutrition and decision making without any discrimination. Because India can become a powerful nation only if it truly empowers its women.

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