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“Social Security & Human Rights”

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Introduction:

Discussing about Women and Human Rights is taking a long journey through many obstacles on the way. The path is not smooth, the picture is not rosy and at the same time the future is also vague and unclear. The quest for freedom is achieved by India, our country whom we address as our ‘Motherland’ but the quest for freedom still remains a dream for Indian women, mothers, daughters....

Women’s Rights as Human Rights:

The adoption of a human rights framework to improve the status of women in the public and private spheres has led to some progress in the last two decades in the promotion of the equality of women and men. **However, women and men still face differences in the realization of their human rights.** These differences are often the result of prevailing cultural and social values and of legal traditions which maintain discriminatory practices, thereby diluting the hard-fought gains made. The Fourth Women Conference on Women, Held at Beijing in 1995, reaffirmed that Women’s rights are human rights. It provided the momentum needed to focus global attention on achieving the objectives of the Nairobi Forward-looking Strategies for

The Advancement of Women Before the year 2000.

The Expert Group Meeting on Promoting Women’s Rights as Human Rights was organized by ESCAP in collaboration with National Women’s Education Centre of Japan. It was held at Saitama, Japan from 7 to 9 August 1996. The meeting

Brought together experts from the Asian and Pacific region to review critically the progress made in the ESCAP region towards women’s equality with men in the field of human rights. The discussions led to the completion of an ESCAP study, Human Rights and the Legal Status of Women in the Asian and Pacific Region, which was published as the first in a series entitled Studies in Women in Development.

Women’s rights have traditionally been viewed as separate from human rights. Yet, throughout their lifetime, **women are often with violations of their human rights with such violations often taking the form of gender-based violence and discrimination.** The Jakarta Declaration for the Advancement of Women in Asia and the Pacific and the related plan of action, which were adopted in June 1994 by the Second Asian and Pacific Ministerial Conference on Women Development, and the Beijing Platform for Action adopted in September 1995 by Fourth World Conference on Women identified the protection and Promotion of human rights of women as an issue of critical concern.

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The United Nations has played an important role in setting international standards for recognizing the human rights of women. One of the most noteworthy outcomes of its efforts is the Convention on the Elimination of All Forms of Declaration and Programmed of Action, adopted in 1993 by the world Conference in Human Rights, which called for the elimination of violence against women in public and private life. In the same year, the United

Nations also adopted the Declaration on the Elimination of Violence against Women and it appointed a Special Rapporteur on Violence against Women.

To follow up these developments, ESCAP, in collaboration with the National women's Education Centre (NVEC) of Japan, organized the Expert Group Meeting

On Promoting Women's Rights as Human Rights. The Meeting, which was held at Saitama, Japan, from 7 to 9 August 1996, was challenged to answer the question,

"How do women have legal rights in their lives and what are the obstacles towards exercising these rights?". To do so, it reviewed the progress achieved in the ESCAP region in treating women's rights as human rights, and it formulated recommendations on women's legal rights and the elimination of violence against women.

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Conference on women identified the protection and promotion of the human rights of women as an issue of critical concern. The United Nations has played an important role in setting international the human rights of women. One of the most noteworthy outcomes of its efforts is the Convention on the

Elimination of all Forms of Discrimination against women (CEDAW), which was adopted by the Convention. Another watershed for women's rights is the Vienna Declaration. Another watershed for women's rights is the Vienna Declaration and Programmer of Action, adopted in 1993 by the World Conference on Human Rights, which called for the elimination of violence against women in public and private life. In the same year, the United Nations also adopted the Declaration on the Elimination of Violence against Women and it appointed a Special Repporteur on Violence against Women. To follow up these developments, ESCAP, in collaboration with the National Women's Education Centre (NVEC) of Japan, organized the Expert Group Meeting on Promoting Women's Rights as Human Rights. The Meeting, which was held at Saitama, Japan, from 7 to 9 August 1996, was challenged to answer the question, **"How do women have legal rights in their lives and what are the obstacles towards exercising these rights?"**

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Women's Right to Property:

There is disparity in inheritance by the Hindus so far as females are concerned. Prior to enactment of Hindu Succession Act 1956 Hindus in India were governed by Shastric and customary laws which varies from region and sometimes it varies on caste basis. The multiplicity of laws in India diversified in their nature; made the property laws even more complex. A Hindu wife was not capable of holding any property separate from her husband. In fact the wife was considered to be a cattle and property of her husband and she could not own property herself. Of the two types of property women were to hold – Streedhan and women's estate, the holder of the later enjoyed the rights during her lifetime and she could not alienate the same. In the constitution of India equality to women was guaranteed for the first time. To secure equality of status to improve Hindu women's right to property, Hindu Succession Act 1956 came into force.

At the time of enactment of this Act, daughters could not become members of the coparcenary and the Act did not afford rights of natural inheritance to daughter because of the very concept of right by birth and by reason of sex as only males can be coparcener. To do away with this obstacle in achieving equality right of inheritance for women and to give right to the women by birth as coparcener was demanded in order to bring equality before law as a fundamental right.

Since the women in India started occupying major offices the rights of women and their protection gained more importance. Right from the President to other offices which were considered that such office can only be occupied by male has remained an imagination and the women have occupied the same and therefore new Acts have been enacted by the legislature. And in order to lay down a Uniform law and a comprehensive system of inheritance; the Hindu Succession Act came to be amended which applies to any person who is a Hindu by Hindu by religion in any form or developments including Veershaiyva, Lingayat or follower of Brahmo, Prathana or Arya Samaj or a person who is a Buddhist, Jain or Sikh by region wherein the daughter shall have the same right as that of a son and she shall be considered as a coparcener of the joint Hindu family. Due to this amendment, the discrimination between the male and female has been removed due to which the imbalance in the ratio of male and female could be curtailed.

From July 2005 the Act has come into force and daughter is allotted the same share as is allotted to a son. The daughter shall have a right to claim partition in the joint family properties as well as the right to claim right of partition in the dwelling house family and she shall also have a right to claim partition during the lifetime of her father. This privilege is only given to Hindu women. The laws applicable to Muslims & Christians do not give equal status to women.

When the constitution of India and the laws newly enacted are in favor of giving equal status to the women, the women are interested in claiming lesser than what they are entitled for and they are trying to implement the Women's Bill wherein they shall have only 33% right.

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Do women really need reservation?

Women's Right to Education:

Female Education in India is not a gift of modern civilization. India has always been a relentless champion of the cause of women at all international and national front. The policy makers have become conscious that real development cannot take roots if it bypasses women, who represent the very essential part around which social change must take shape. The past few years have seen unprecedented changes in the political, diplomatic, economic and ideological spheres, but certainly a lot of development. Have also taken roots. From growth with equity, from economic development to human development and from services endowment to empowerment, the paradigms of development have certainly come a long way. The development of women in India – who according to the 1991 census represent 48.1 per cent of the country's population – has occupies the centre-stage in our development planning since independence.

ANCIENT PERIOD- female Education is not new to us. In older days women were allowed to enter gurukuls. They also composed Rigvedic hymns. They excelled in the sphere of education and hence the goddess of learning was conceived of as a female who was popularly known as "Saraswati" which is followed even today. However all this declined and situation worsened till the coming of the British. The social reform movements which arose as a result of the interaction with the western civilization stressed on educating the women. The pioneering work of women's education was done by such socio-religious reform bodies as Brahmo Samaj, Arya Samaj, Ramakrishna mission and also Danish, American, German and British missionary Societies.

ROLE OF WOMEN IN SOCIETY – The role of women in society has been greatly overseen in the last few decades but now are coming to a more perspective to people. They are faced with a lot of responsibility in their lives.

Importance of Girl Education-Earlier the traditional value of girl education in India was to teach motherhood, to nurture children and to take care of the household. The Hartog committee (Sir Philip Hartog), 1929 fully realized the need and importance of girl and women's education in India. The education of women especially in the higher stages will make available to the county a wealth of capacity that is now largely wasted through lack of opportunity. It is through education that Indian women will be able to increase measure to culture, the ideals and activities of the old time apathy of messes is breaking down, which leads to empowerment of a girl and later of women.

EDUCATION AND EMPOWERMENT FOR WOMEN

Role of Mass Media in Women Empowerment-A large of women are emerging out of the system that had once oppressed and exploiter them for centuries. Since education is an expensive and long process, mass media aims to educate the masses at a relatively lower cost. It can play a vital role in instilling confidence and self-respect among women and help them in securing a dignified place in the society. The television and radio are the main sources as they can reach even the rural areas.

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Role of Employment in women Empowerment-fuller and effective utilization of human resources is a means of developing the economy and raising the standard of living. Employment has been recognized as their “critical entry point” for women’s integration is mainstream development.

FACTORS FOR POOR LITERACY RATE-

Gender based Inequality-this is highly prevalent India. Women and girls are not treated on par with the men or boys. The mind set people, that a girl child is a burden, is changing.

Occupation of Girls as Domestic Help-Most young girls from the rural areas are made to drop of school and made to work as domestic servants. This is why there is such a high rate of drop-outs from school.

Other Reasons-Exploitation, sexual abuses are few of the other reason why parents are send their daughters to school.

NECESSITY FOR EDUCATION OF WOMEN

Empowerment of women-This is one of the main reasons as to why female education is necessary in India. If a woman is educated than it will build self-confidence and among them and this will result in empowerment.

Economic – If women are educated and empowered they will also be a source of income for family. This will not only raise the standard of living of the family but also the economic condition of the country. After all the economic conditions of a country will grow only if all the citizens are prosperous.

BENEFITS

Increase in the Revenue of the Family-If a girl is educated then she can also on the family. This would also control female infanticide.

Check on Social evils- Education, in reality, is the most voluble gift parents can give to their daughter. As an educated wife she would be interested in family planning as well. Studies have shown that illiterate women have high fertility and mortality rate. Many women prefer to have more children so that they could look after her in old age. But being educated she would certainly understand the advantages of a small family which will help in dealing with problems like over-population and poverty. Also infant mortality is inversely related to the educational level of the mother for example, in Kerala female literacy ratio is highest (87.86%) and has lowest infant mortality rate with highest life expectancy. On the hand in Uttar Pradesh and Bihar where female literacy ratio is lowest, life expectancy is also lowest.

Part in Household Activities-Also being educated she would be able to participate in the day to day proceeding of the family. This would only add up one more voice and an opinion.

An educated mother would be more conscious about the hygiene of the family than her illiterate counterpart.

Other reasons- Studies have proved that lack of education affects the general health of the family. Besides general health inculcating good moral values in her children would be

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one of the top priorities of any educated mother. In the long run, well brought up children are assets which any society would love to possess. This is how the civilization progresses and grows.

Women's Right to Good Health:

Women's access to health services is much less in comparison to men. The underlying reason being their lower status in the family and lack of decision making power regarding ill health, expenditure on health care and nonavailability of health care facilities prevent them from seeking medical help.

Women's lack of time due to existing unequal division of labour and the socially sanctioned 'feminine' quality of 'sacrifice' Besides, the perceptions of acceptable levels of discomfort for women and men lead to gender differences in willingness to accept care for illness. This is partly due to their unwillingness to disrupt household functioning unless they become incapacitated.

Relatively high mortality rates of women are a reflection of unequal gender relations, inequalities in resource allocation, lack of access and availability of drugs and health services in our country. A look at the female to male death ratio (i.e. 0.84, for the period 1992-93) at the neo-natal stage shows that mortality rates are higher in case of males. There is a significant reversal in the picture in the picture in the picture in the post-neonatal and subsequently the 1-4 age group, where the female to male death ratios are 1.13 and 1.43 respectively. These differentials highlight the consistent gender bias inherent in seeking health care for the girl child. Many studies have clearly shown that girl children below the age of four displaying symptoms of pneumonia were not taken to a health provider or given any treatment at home as compared to similarly affected male children of this age group.

In India, pneumonia and anemia constitute the major causes of death in the 0-4 age group, and tuberculosis of the lungs pose a risk in the 15-60 age group. The other causes of mortality include bronchitis and asthma, gastroenteritis, diseases of the nervous system and maternal mortality. Poor nutritional status, coupled with lack of poor health care for girls and women underlie causes of high mortality and morbidity in India. In India 1 out of 3 women in the age group 15-49 is undernourished as per the BMI

Studies show that access to nutrition and healthcare is skewed in favour of boys and men, which in turn, affect gender differentials in mortality. There is a definite bias in feeding nutritious food to boys and male members of the family. In northern states, it is usual for girls and women to eat less than male members. For instance, the literary pattern indicates that in comparison to adult men, women consume approximately 1,000 fewer calories per day, far below the Recommended Dietary Allowance. Nutritional deprivation not only hinders women from reaching their full growth potential, but also results in severe and chronic anemia.

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Women's Right to Legal Protection:

Women have the right to equality with men before the law. This right to legal equality is independent of a women's civil status. The prohibition of discrimination based on sex includes gender-based violence.

Women's right to legal equality with men means that States have to eliminate all legal and factual discrimination against women in both the public and private sectors. It also implies that States are duty bound, as a minimum, to take all appropriate measures to modify local customs and traditions that may impede the full realization of women's right to equality.

Historically, law has played an important role in defining the relations between men and women, in setting boundaries as to what women can and cannot do and in upholding the social roles and norms about men and women. The imposition of roles on the basis of anatomical and physiological differences between men and women is done by society and legal institutions have been used to support the ordering of done by society in a gender role basis. Law, thus, is one among a number of important factors in trying to understand the ways in which women are subordinated. The feminist engagement with law has been at various levels by demanding equality in rights and by setting new norms for society by delegitimising certain negative values in society and legitimizing new social values and roles. Women's movement viewed laws as potential source of equal rights and emancipation for women. Having power and legitimacy to bring about egalitarian social transformation.

Law, therefore, has remained a practice has moved beyond demanding parity in rights to understanding/addressing fundamental concepts, values and assumptions that are embedded in legal thought. The earliest struggles for equal rights can be traced to western feminist engagement with law in the liberal legal paradigm.

Demands for same legal rights for women were at the Suffrage movements that brought to forefront the issue of women's citizenship rights and women eventually gained many legal and civil rights. But this increasing parity of rights between men and women soon led to the realization mere sameness of rights in the public sphere was not enough to change the socially and subordinate position of women in society as this left out issue of sexuality and reproduction that were considered a private sphere. For example the debate on rights of women in family and marriage with in personal laws, especially when it has been carried out outside the women's movement has not used an understanding of law as interlinked to the prevailing sexual division labour.

Thus, if the strict rules of property are applied according to which the property according to which the property goes to the one who has legal ownership, then most women will be left without assets and/or income, as this will also not take into account the fact that most women perform unpaid domestic labour.

The interlocking nature of gendered violence experienced by points to the connected forms of violence that extend from home to street to places of caste, community, ethnic conflicts to wars at the boundaries of nation states. In addition, the fact that women have also been the agents of inciting and inflicting violence on women points to role of the mechanisms of control that make complicit in the patriarchal structures governing their lives. The strict

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and often violent policing of women's mobility and sexuality also with the enforcement of notions of chastity and 'honor' of family and community ensures their submission to routinised violence in home and family ranging from forced marriage to so called "honor" killings, offences which reify the fact that the family must be the site of reproductive sexuality for communities and must maintain law and order within communities, and by extension, in society".

Thus apparently men and women may seem to make choices in their lives. E.g. women choosing to surrender their careers to look after children or deciding to surrender their property rights in favor of their brothers, these choices are clearly constructed by prevailing ideologies and dominant structures that operate at the culture level. It is not surprising, therefore, that demands for better laws and the experiences with new legal provisions obtained after long and tedious struggles continue to be confronted by suspicions about law reform as a strategy for women's emancipation.

Law as a strategy for social change, thus, has remained an area of feminist dilemma because of the continuing gap between formal equality and substantive quality. Many times the legal systems have been found to have features which are actively discriminatory to women denying them equal rights within the institutions of marriage and family. Even when there is formal equality in law, its actual functioning is discriminatory because legal and state machinery interprets and implements the laws in gender biased ways. Formal equality continues to be discriminatory to women also because women and men are located in unequal and hierarchical manner in cultural, social and economic formations. Law has also continued to project women in their stereotyped roles and images as dependents and subordinates and has thus played an important role in maintaining unequal power relations between women and men. An analysis of legal reform in India on issues pertaining to the rights of women reveals that reform process was all the time enmeshed with intense concerns for the preservation of the institutions of marriage, family, community and religion and women as markers of tradition and community

Constituent Assembly and Women's Rights

The making of the Indian Constitution provided another opportunity to raise women's issues. The debates in the Constituent Assembly reveal that though there was no disagreement within the Sub Committee on fundamental Rights over granting political equality of sexes, but there was strong opposition to gender equality in marriage and family over issues of inheritance and divorce. These areas were governed by religious personal laws and inequality and discrimination against women formed the basis of these laws. With regard to these both in the Sub Committee and the Constituent Assembly the discussion centred on three things: (1) conflict between freedom of religion and efforts to improve the status of women, (2) rights which could be made justifiable, and (3) scope of women's rights to be covered by the Constitution. It was decided not to touch the areas falling under the personal laws as any change in them would affect their religious practices and would be unfair to religious minorities. Thus, the promise to ensure a Uniform Civil Code was placed in the Directive principles of State policy, which meant that the issue as to which rights should be

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justifiable was discussed only in terms of religious identities of minority communities. The question of inequality of sexes that forms the basis of all the personal laws never became the focus of the debate. The retention of personal laws which were premised on the principles of gender inequality and subordination of women to male members of family and the decision to postpone the enactment of a common civil code based on equal rights for men and women negated the principles enshrined in the preamble and articles 14 and 15. Thus, the Constitution had an anomalous the question of gender equality right from the beginning. Women having achieved the formal right to equality through the Constitution continued to have unequal rights in many spheres of life. The Constitution also had nothing to say on the unpaid labor of women in Families

The Report of the Committee on Status of women (1974) that became the founding text for the women's movements in India highlighted the gender gaps in virtually every sector in employment, health and education and the failure of the government to ensure the application of rights guaranteed under the Constitution to women. The women's movement and the women studies movement that Constitution to women. The women's movement and the women faced in their daily lives due to their subordinate position in society that had remained unrecognized and unnoticed. A number of assumptions about the nature of women's work, their contribution to family, society and economy were critiqued and the basic concepts and institutions like family, household, male bread winner, dependent wife/housewife were examined. It was found that while society oppressed women, law also did not provide any relief. In fact the laws reflected and sometimes even reinforced the social attitude towards women.

Violence as linked:

To the position of women in society and polity become the focus of work and campaigns of these times. But even before that woman in various parts of the country, in villages, in hill areas, in small towns had already been raising issues which were to become issues of focus for women's movements – environmental degradation and its impact on the lives of women (Chipko Movement), rights in landed property (Bodhgaya Movement), anti liquor movement, anti price rise movements etc. The issues of violence against women and resourcelessness of women in family and economy and the ideology of subordination of women so deeply rooted at the cultural level become the focus of these movements.

Experiences of women revealed that lack of property rights, right to inheritance and matrimonial property made women vulnerable to violence and oppression. Working with the police and legal machinery of the state revealed that not only laws were grossly inadequate to address women's problems but were also deeply biased against women. Here we will look into the campaigns that raised the issue of violence against women and on the issue of personal laws and demands for the legal remedies and their limits and obstacles in the actualization of goal of gender equality through law.

Campaigns for Legal Reform on the Issue of Violence against Women

The issue of violence against women, in its various forms has occupied much of the energy of women's movement in the last three decades. The movement has addressed a

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whole array of forms of violence from custodial, rape gang rape, rape of lower caste women by upper caste men, child rape, incest, dowry related violence, domestic violence, “honour” killings, communal sexual violence, violence against women in situations of armed conflict, violence of population polices, pre-birth elimination of female fetuses, sexual violence by state agencies and so on. The issues that dominated the initial campaigns were rape, more especially custodial rape and dowry related violence. The campaigns unfolded large scale social phenomenon of violence against women both inside and outside the family. Women activists were also appalled by the extraordinary lack of sensitivity of the law enforcement agencies on the cases of violence against women. While a range of strategies were adopted by women groups that emerged at that point of time, to bring public attention to these issues, an important part of their campaigns was to develop legal principles so that the legal and judicial system gets equipped to look at the issues that were being raised by women’s groups from women’s perspective..

The 1980s witnessed a spate of legislations concerning women, aimed at protecting them from various forms of violence. The amendments in the rape law were the first to come in this process. The Supreme Court judgment, in 1979, in the case of custodial rape of Mathura, a 16 year old tribal girl, acquitted two policemen of the charges of raping Mathura in the police compound, on the grounds that Mathura did not put up sufficient resistance and thus consented in the sexual act and, therefore, her charge of rape was false. The judgment that brought shock and disbelief was responded by a strongly worded protest letter by four eminent lawyers raising questions on such a judgment. The letter sparked off protests and agitations against the judgment all over the country. While these protests were in and demands for reexamination of rape laws were being made, another case custodial rape of Rameeza Bee (while her husband was killed in police custody) threw open the questions of rape trial, the most important being the issue of ‘custody’ threw open the questions of rape of Rameeza Bee (while her husband was killed in police custody) threw open the questions of rape trial, most important being the issue of ‘consent’ in a rape case. The trials revealed that in order to prove that women consented in the sexual act and therefore were not raped; the arguments of immoral and low character of women were freely used.

This was done in both ways, i.e., chastity and character of a woman were made reason and basis for believing or disbelieving her allegations. And conversely in order to disprove her allegations she could be easily branded as a woman of loose character. Thus, two major demands of women’s groups were that character and past sexual history of women should not determine the outcome of rape trials and the onus of proving consent should shift from the prosecution to the accused since a rape trial hinges on whether consent or non-consent can be established. The amendments and additions of several new sections to the Indian Penal Code, the code of Criminal Justice and The Indian Evidence Act have since then made significant advances regarding rape in these laws. In cases of custodial violence the onus of proof has been shifted to the accused and a minimum term of imprisonment of seven years in case of rape and of ten years in cases of custodial rape, gang rape, rape of pregnant women and of girls below 12 years of age was stipulated. Courts were directed not to admit evidence regarding women’s past sexual history or character unless compelled by the norms of a fair trial.

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Despite these major gains, the incidence of rape does not seem to have declined and the implementation of law remains very poor. The reasons for this range from sexist biases and suspicion that pervade the whole legal and judicial process to the prevalent unequal power relation complicated by institutions of class, caste, religion, ethnicity and even that of state power. To quote a feminist lawyer Flavia Agnes, "Procedures continued to be long and harrowing, the investigative machinery lax and corrupt, cross-examinations of the victims degrading and humiliating and, contrary to expectations, the statistics revealed an increase in reported cases and a dismal rate of conviction."

The other issue that dominated the agitation politics of women's groups during the same time was the dowry related violence. The coming together and working in the issue of dowry related violence, in fact, opened up a major dimension of violence against women that happens within the confines of home and marriage and has mostly remained hidden because it was seen as a private matter. The women's group worked not only to bring this issue of private violence to public

Debate by using the slogan 'personal is political' but also demanded strengthening the legislation to deal with the crime. Two important legislations enacted during the decade that dealt with the issue of violence within the family were Dowry prohibition Amendment Act, 1984, again amended in 1986 and two amendments in Indian penal

Code by adding Section 498A and 304B. The importance of these amendments was that for first time the violence that women faced within the confines of home was given a public and legal recognition. While the women's groups highlighted the issue of domestic violence by pointing out that a lot of violence against women within family and marriage is not due to dowry demands, the whole process of bringing changes in the Indian Penal Code with a view to deal with such violence remained focused on posing dowry as the major problem.

This made it difficult to raise the issue of domestic violence separately from the violence related to dowry demands. Thus false complaints of dowry harassment were added to genuine complaints of wife beating, which tended to make women's case weaker. As women and their relatives were not able to prove the charges of dowry harassment, the accused could be acquitted easily. On the other hand, the police records erroneously conveyed that all violence is related to dowry. The experience of seeking justice through the police and courts has been extremely negative. Despite changes in law it is very difficult for women to prove violence that occurs within the confines of home. Complaints could generally be admitted after an offence has been committed while women may need protection even before the crime. The emphasis on punitive action in absence of creating alternatives to strengthen women socially and economically made women adjust to violent homes. No changes were brought out in other laws so as to guarantee women's share in paternal and/or matrimonial property. Thus many times women retracted from their complaints and went back. Those who tried to pursue the matter were counseled by the police or other agencies created by the state, like the Crimes against Women Cell would counsel women to compromise and adjust in the interest of family and children. The family, the neighborhood, the police, the courts, the women's cells in the police stations, counseling at institutions like State Commissions and National Commission for Women shares an ideology of preserving the institution of marriage and family by promoting the notions of wifehood and motherhood.

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Proving her credential as a good wife meant for most applicants providing evidence of having made every attempt to live in the marriage despite mental and physical cruelty, leaving only when forced out of the matrimonial home under conditions of physical danger to her.

Over the last two decades women's movements in India struggled to highlight the magnitude of violence, physical, mental, psychological abuse that women face in their everyday life and their inability to challenge it because of the societal issues.

For details on the process of bringing these changes, debates in Parliament and assumptions on which the police and other agencies worked to project dowry as the major problem, sanction to it and in the absence of adequate legal redressal mechanisms and economic securities. This led to demand for a comprehensive legislation that combines both civic and criminal remedies in the early 1990s based on the detailed explorations of domestic violence and extremely disadvantageous positions of women in family and marriage in the context of her lack of control over family's economic resources. The manifestation of such violence was also seen in the reported cases of young unmarried girls committing suicides and in the pre birth elimination of female fetuses all over the country. Work on such a comprehensive to look for both civil and criminal remedies in such cases of violence and strengthen women position in the family. The definition of domestic violence was widened to include the expanded domestic relationships, i.e. unmarried daughters, widows, sisters, mother-in-law and dependents. Significantly, any relationship 'in the nature of marriage' was also included. The issue of women's rights to residence, to maintenance and to custody of her children was also raised and incorporated in the Bill on Domestic Violence that was finally passed in 2005. The new Act gives women right to stay in the matrimonial home and seeks to ensure through the provision of protection orders her right to residence, maintenance and custody of her children. The violation of these orders would be treated as a criminal offence.

Conclusion:

The status of women in India has undergone many great changes over the past six decades but the status of women in modern India is a sort of a paradox. If on one hand she is at the peak of ladder of success, on the other hand she is mutely suffering the violence afflicted on her by her own family members. As compared with the past they have really achieved a lot and at par with the men but still there is a long way to go. Their worth is still not understood. Their path is full of hindrances and blocks. Looking at both highs and lows in the political, economic and social front in the past sixty four years of independence, the figures suggest that there is still a long way for the women to go.

Looking at both highs and lows in the political, economic and social front in the past sixty four years of independence, the figures suggest that there is still a long way for the women to go.

On the political front, the percentage share of women members in Parliament has increased from 4.4 percent in 1952 to 10.7 percent in 2009. Women have occupied high offices in India including that of the President, Prime minister, speaker of the Lock Sabha, Leader of Opposition and others. Indian women like Indira Gandhi, Pratibha Patil, Meira kumar, Suahma Swaraj, Sheila dikshit, Mayawati and many others have excelled in politics

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despite being in a man's field. However, there is lack of intent with respect to Women's Reservation Bill. The bill was passed by the the upper house on 9th march 2010, but it has not been tabled in the Lok Sabha.

At the time of Independence, women in senior management roles or as entrepreneurs were unthinkable. Now, we have several women entrepreneurs/high profile executives in the country. Kiran Mazumdar Shaw (Biocon), Ekta Kapur (Balaji Telefilms), Chanda Kochhar (MD and CEO of ICICI bank), Indra Nooyi (Chairman and CEO of PepsiCo) are among the top women entrepreneurs/executives in India and abroad. But the low is that only five percent of women in India hold board seats in all BSE companies.

More and more female in India are successfully seeking literacy. Female literacy rate in 1951 was 8.86 percent, the current figure of 2011 stands at 65.46 percent. Maternal Mortality Ratio has also declined from 580 in 1982-86 to 212 in 2007-09. However, the sex ratio has declined leading to rise in female foeticide. The sex ratio has declined from 946 in 1951 to 940 in 2011. India records a whopping 5.7 million illegal abortions every year.

Crime against women has also seen a rise in the last sixty years. There has been rise in dowry cases. In 1965-75 just one case of dowry death was reported and by 2009, 8,383 cases of dowry death had been reported. Rape cases have also increased from 2,962 in 1974 to 21,397 in 2009. Though one reason for this trend could be that women earlier may have been more reluctant to come out in the open and report cases of abuse or harassment for dowry.

Indian women have conquered the film and fashion industry with Sushmita Sen. and Aishwarya Rai winning the Miss Universe and Miss World title. Melody queen Lata Mangeshkar was awarded Bharat for her outstanding contribution to the music industry. Shabana Azmi was awarded National Award five times for her brilliant

Performance as an actress. Films like Mother India, Aaradhna and Bandit Queen have depicted the plight of Indian women but at the same time the characters in these films have identified the strength of women in India.

All in all it is a mixed bag with the key role of the home maker reigning supreme even as women of today seek to rediscover herself.