



ISSN Print: 2394-7500
ISSN Online: 2394-5869
Impact Factor: 5.2
IJAR 2016; 2(1): 629-632
www.allresearchjournal.com
Received: 07-11-2015
Accepted: 09-12-2015

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A sociological study on awareness of human rights among women

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Abstract

Human rights as the very term indicates represent the rights of all human beings, of both the sex – men and women. It had identified the gender equality, in accessibility of human rights. Women represent almost half of the total population of India. But gender inequality and gender discrimination are the main features of Indian society. Women have been denied equal rights for centuries. The plight of women in general is distressing and their conditions in society are deplorable. Various social evils led to the deprivation of women. In modern India, however, some improvement has been taken place in the status of women. But still woman do not enjoy as much freedom and liberties as men do. Crimes against women are increasing day by day. There has been a constant rise in dowry deaths, bride burning, rape, molestation, kidnapping, and illegal confinement. A study was carried out with the sample of 100 women from various fields like labourers, illiterates, housewife's, college students, teachers, lecturers, lawyers, bank employees, nurses, doctors in Hassan city of Karnataka state. For this study, qualitative method was used; data was collected from 100 women by using simple random sampling. The present paper aims to find out the level of awareness of human rights ensured by Constitutional safeguards among women and to study the degree of awareness about the protection of women's rights by the Indian Penal Code. The main finding of the study shown that the majority of women are not aware of the importance of the concept 'Human rights' and its impact in improving the statues of women.

Keywords: Human Rights, Women, Awareness.

Introduction

Human rights are as old as human civilization. But the modern conception of "HUMAN RIGHTS" developed in the aftermath of the Second World War, particularly after signing of the Universal Declaration of Human Rights by the United Nation General Assembly in Dec. 10 1948. This Declaration represents the first global expressions of rights to which all human beings are entitled. It consists of '30' articles which have been elaborated in subsequent international treaties, regional human rights, national constitutions and laws.

It is very difficult to define the concept of "Human rights" as there are variations, which follow nations, societies, interpretations, contexts etc. However human rights are those rights conferred upon in a Society. Human rights are basic rights and freedoms to which all humans are entitled. According to the Article I, of the Universal Declaration of Human Rights (UDHR) "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brother hood". In simple words, it could be said that "Human rights are those basic standards without which men cannot live in dignity". They are rights related to life, liberty, equality, guaranteed under the Constitution and covenants. Human rights are "basic rights and freedoms to which all humans are entitled. Proponents of the concept usually assert that all humans are endowed with certain entitlements merely by reason of being human. Human rights are thus conceived in a Universalist and egalitarian fashion

From the ancient days, India has been committed to the ideals and doctrines of human rights. The 'Universal Declaration of Human Rights' by the UNO had influenced both directly and indirectly its member nations. In conformity with this declaration, the constitution of India, in its part III, provides for six types of fundamental rights ensuring equality, justice and freedom to all citizens of India, the part IV captioned 'Directive principles of state policy' also ensure socio-economic justice and rights.

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Rights mean those freedoms which are essential for personal good as well as the good of the community. The rights guaranteed under the Constitution of India are fundamental as they have been incorporated into the "fundamental Law of the land" and are enforceable in a court of law. Indian Constitution contains a variety of human rights termed as fundamental rights. Fundamental rights for Indians have also been aimed at overturning the inequalities of pre-independence social practices. Specifically, they have also been used to abolish and prohibit discrimination on the grounds of religion, race, caste, sex, or place of birth. They also forbid trafficking of human beings and forced labour. They also protect cultural and educational rights of ethnic and religion.

'Human rights' as the very term indicates represent the rights of all human beings, of both the sex – men and women. It had identified the gender equality, in accessibility of human rights. No discrimination is allowed or imposed in the exercise of those rights. Women represent almost half of the total population of India. But gender inequality and gender discrimination are the main features of Indian society. Women have been denied equal rights for centuries. The plight of women in general is distressing and their conditions in society are deplorable. Various social evils led to the deprivation of women. In modern India, however, some improvement has been taken place in the status of women. But still woman do not enjoy as much freedom and liberties as men do. Crimes against women are increasing day by day. There has been a constant rise in dowry deaths, bride burning, rape, molestation, kidnapping, and illegal confinement. As recently some issues such as 'Gender equality' and equal rights for women are assuming much prominence and, also their participation in the development programmes is considered of imperative significance, 'Human rights' have extended to women also.

The Human Rights guaranteed to women in India are

1. Equality before law (Article 14)
2. Prohibition of state discrimination based on religion, caste, sex, place of birth (Article 15(1))
3. Special provision for women and children (Article 15 (3))
4. Equality of opportunity in public employment (Article 16 (2))
5. Right against exploitation (23 & 24)
6. Equal pay for equal work (Article 39 (d))
7. Provision for maternity relief (Article 42)
8. Protecting the dignity of women (Article 51 A (e))
9. Reservation of seats for women in the Panchayaths and municipals bodies (Article 243 D & 243T)

Thus Constitution of India had guaranteed various human rights for women. In accordance to these constitutional rights, the independent India enacted a number of legislative measures to safeguard the rights of women. Therefore the present study had taken up to explore the level of awareness among women regarding their rights, through the degree of awareness about the legislations.

Objectives of the study

- To study the level of awareness of human rights ensured by Constitutional safeguards among women, from a systematic sociological perspective.
- To study the degree of awareness about the protection of women's rights by the Indian Penal Code.

Hypothesis

- There is a lack of awareness about their human rights among women.
- The level of awareness about the role of Indian penal code in ensuring human rights to women is not satisfactory.

Importance of the study

The present Sociological study is justifiable in various respects. At the present situation there is a necessity of sociological study of Human rights of women as there is a necessity of creating its awareness in the present society. The study also examines the cumulative impact of a number of factors on inculcation of awareness of Human rights of women in a male dominated society that too in different groups of women. At the practical level the present study helps to understanding human rights and its sanction through legislations in modern Indian society. The study definitely provides the basis for Government policies and also other developmental activities. It is because the present study gives information about the levels of awareness of Human rights among women. Moreover this study enables to understand the concept of human rights related to women and their protection by the legislations and Indian Penal Code.

Methodology

For this present sociological study Hassan city is chosen as universe. 100 women from various fields like labourers, illiterates, housewife's, college students, teachers, lecturers, lawyers, bank employees, nurses, doctors were selected as respondents through Simple Random Sampling method and data was collected through direct interview with an Interview Schedule and also from secondary sources. Much care had taken to select the adequate and reliable samples for the study. Respondents from different strata of various age-groups were chosen to fulfill the requirements of efficiency of the research and also to represent properly the field of the study. Detailed description of the attitudes and opinions of the respondents was collected through duly pre- tested 'structured interview schedule'. The data collected through the interview schedule were processed in a systematic way. The collected data were edited for checking their completeness and accuracy, and then data is tabulated and processed in the table by using computer.

Results and Discussions

The independent India had undertaken various measures to provide equal rights for women, which are ensured by the constitution of India. Legislative measures are one such measure to ensure equal rights and protection to women and to provide "Gender justice". The status of Indian women has radically changed since independence. The structural changes and cultural changes had provided equal rights and opportunities to women in education employment and political participation. But there is a general notion that Indian women even to this age, are not very conscious of human rights given to them and most of them do not have any awareness of the legislations enacted to establish gender equality, mainly by eradicating various social evils, which are responsible for gender inequality, gender discrimination, gender exploitation, and gender injustice. Prof. Ram Ahuja conducted a study in eight villages of a district of Rajasthan to assess the degree of awareness and to measure the level of satisfaction among the women about the rights sanctioned by the constitution of India. He found that majority of women

are not aware of their equal rights and legislation which are enacted to safeguard their rights.

In the present study, some of the following important legislations were taken to verify the level of awareness among women about their rights.

1. **The special marriage Act, 1954:** The special marriage act which provides rights to women on par with men for inter-caste marriage, love marriage and registered marriage. The act as also fixed the minimum age of marriage at 21 for males and 18 for females. The main reason behind passing the Special Marriage Act, 1954 was to provide a special form of marriage for the people of India and all Indian nationals in foreign countries, irrespective of the religion or faith followed by either party. It was enacted to provide a special form of marriage in certain cases, to provide for registration of certain marriages and to provide for divorce.
2. **The Hindu marriage Act, 1955:** As part of the Hindu Code Bill, the Hindu Marriage Act was enacted by parliament in 1955. Its purpose was to regulate personal life among Hindus, especially their institution of marriage, its validity, conditions for in-validity, and applicability. It prohibits polygamy, polyandry and child marriage and concedes equal rights to women to divorce and to remarry.
3. **The Hindu succession Act, 1956:** The Hindu woman's limited estate is abolished by the Act. Any property, possessed by a Hindu female, is to be held by her absolute property and she is given full power to deal with it and dispose it off by will as she likes. The Act was amended in 2005 by Hindu Succession (Amendment) Act, 2005. This provides for women the right to parental property. The Hindu Succession (Amendment) Act, 2005 amended Section 6 of the Hindu Succession Act, 1956, allowing daughters of the deceased equal rights as sons. In the case of coparcenary property, or a case in which two people inherent property equally between them, the daughter and son are

subject to the same liabilities and disabilities. The amendment essentially furthers equal right between males and females in the legal system.

4. **The Hindu Adoption and Maintenance Act, 1956:** It dealt specifically with the legal process of adopting children by a Hindu adult, as well as the legal obligations of a Hindu to provide "maintenance" to various family members including, but not limited to, their wife or wives, parents, and in-laws. It gives childless women the right to adopt a child and to claim maintenance from the husband if she is divorced by him.
5. **The Dowry prohibition Act 1961:** this act amended in 1984 and 1986 which declares the taking of dowry as unlawful activity and their by prevents the exploitation of women.
6. **The Suppression of Immoral Traffic of Women and Girls Act, 1956 amended in 1978 and 1986:** which gives protection to women from being kidnapped and being computed to become prostitutes. According to it persons who compel children to prostitution can face imprisonment for 7 years or life time.
7. **The medical Termination of Pregnancy Act, 1971:** This act legalizes abortion conceding the right of women to go for abortion on the ground of physical and mental health.
8. **The criminal law Amendment Act, 1983:** This act seeks to stop various types of crimes against women.
9. **The Family court Act, 1984:** This act seeks to provide justice to women who get involved in family disputes.
10. **The Indecent Representation of women (Prohibition) Act, 1986:** It prohibits the vulgar presentation of women in the media such as – news papers, cinema, T.V, etc. With this background, the present sociological study had attempted to explore the level of awareness of legislations among the women of the Hassan city which are enacted to ensure the rights and protection of women. The data regarding this are depicted in the following table – 01.

Table 1: Level of Awareness about Legislative Provisions regarding Human Rights for Women

Sl. No	Different Groups Of Women	Special Marriage Act 1954		Hindu Marriage Act 1955		Hindu Succession Act 1956		Hindu Adoption and Maintain Act 1956		Dowry Prohibition Act 1961		SITW&G Act 1956		Medical Termination of Pregnancy Act 1971		Criminal Law Amendment Act 1983		Family Court Act 1984		Indecent Representation of Women (Prohibition) 1986	
		Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N
01.	Labourers	-	100	-	100	-	100	10	90	30	70	-	100	20	80	10	90	10	90	-	100
02.	Illiterates	-	100	-	100	-	100	10	90	40	60	-	100	30	70	10	90	10	90	-	100
03.	Housewife	-	100	10	90	10	90	20	80	60	40	10	90	40	60	20	80	20	80	-	100
04.	College student	20	80	30	70	20	80	30	70	80	20	30	70	30	70	20	80	20	80	10	90
05.	Teachers	60	40	60	40	30	70	40	60	80	20	20	80	90	10	30	70	30	70	10	90
06.	Lecturers	80	20	80	20	60	40	30	70	100	-	20	80	100	-	30	70	50	50	30	70
07.	Lawyers	100	-	100	-	100	-	100	-	100	-	100	-	100	-	100	-	100	-	100	-
08.	Bank Employees	20	80	10	90	20	80	40	60	80	20	30	70	100	-	20	80	20	80	10	90
09.	Nurses	10	90	10	90	10	90	30	70	70	30	20	80	100	-	20	80	10	90	10	90
10.	Doctors	40	60	40	60	20	80	40	60	100	-	40	60	100	-	30	70	50	50	30	70
	Total %	33	67	34	66	27	73	35	65	74	26	27	73	71	29	29	71	32	68	20	80

Indian Penal Code and Protection of Human Rights for Women

Indian Penal Code (IPC) is a document that covers almost all the crime happening in the society. It is a piece of British colonial legislation dating from 1860. Now it provides a penal code for all of India. The code applies to any offence committed by an Indian Citizen anywhere. Indian Penal

Code is regularly amended, such as to aspects of the Criminal Law. There are various columns in it which are directed to protection and safeguard the human rights of women. This study verifies the degree of awareness about it among the women respondents of the study which is exhibited in the following table 02.

Table 2: Awareness of human rights in IPC about crimes against women

Sl. No	Different Groups of Women	Wife beating Column 325		Rape Column 354		Kidnapping Column 363		Govt. Servants Column 376		Polygamy Column 494		Eve Teasing Column 509	
		Y	N	Y	N	Y	N	Y	N	Y	N	Y	N
01.	Labourers	10	90	10	90	10	90	-	100	10	90	-	100
02.	Illiterates	-	100	10	90	-	100	-	100	10	90	-	100
03.	Housewife	10	90	10	90	10	90	-	100	10	90	20	80
04	College student	20	80	30	70	20	80	-	100	40	60	30	70
05.	Teachers	30	70	20	80	30	70	70	30	40	60	30	70
06.	Lecturers	30	70	40	60	30	70	80	20	50	50	40	60
07.	Lawyers	100	-	100	-	100	-	100	-	100	-	100	-
08.	Bank Employees	30	70	30	70	20	80	80	20	50	50	40	60
09.	Nurses	10	90	20	80	20	80	50	50	30	70	30	70
10.	Doctors	20	80	20	80	20	80	90	10	50	50	40	60
	Total %	26	74	29	71	26	74	47	53	39	61	33	67

Findings

1. The present study found that majority of women is not aware of the importance of the concept 'Human rights' and its impact in improving the statuses of women.
2. This study revealed that the level of awareness about human rights among women is not satisfactory.
3. This study noticed that there are also Penal codes, in supportive of protection of women rights.
4. Another interesting finding of the study is that most of the women did not find the necessity of the legislation to protect them as they are in a secured position.
5. It was also revealed that some of the respondents of the study are having the knowledge of some legislation, but they do not have depth idea regarding those legislations as a protector of their rights.
6. The important reasons for low level of awareness among women about their rights traced in the study are illiteracy, negligence of law, ineffective enforcement of law, unfavorable attitude of the society to take the help of legislations etc.
7. Another important thing observed in the study that only victims, lawyers, and some other educated sections of the society have some knowledge about human rights and legislations.

Suggestions

On the basis of the findings of the study some suggestions are given to increase awareness among women about the human rights which are as follows.

1. An equal emphasis has to be laid on the total development of women and the awareness about their rights and responsibilities.
2. There is the necessity of the changes in the attitudes of the society which supports for using legislations to safeguard their rights.
3. Awareness about the human rights and its protection should be provided to the college students of all courses.
4. More sensitization about Human rights for both genders is required.

Conclusion

Indian women have yet to travel a long way before they can be equated with men. There still remains to be done to ensure equal rights for them and human life for women folk of Indian society. This study is about awareness of human rights among women. The study result shows that only victims, lawyers, and some other educated sections of the society have some knowledge about human rights and legislations. The important reasons for low level of

awareness among women about their rights traced in the study are illiteracy, negligence of law, ineffective enforcement of law, unfavorable attitude of the society to take the help of legislations etc. Women should be aware about their human rights to improve their overall development. If women are developed then the whole society is also become developed society.

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