

WHY WOMEN NEED TO BE EMPOWERED?

LEGAL RIGHTS FOR Women empowerment.

By

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WHY WOMEN NEED TO BE EMPOWERED?:

Need for Empowerment arose due to domination and discrimination done by men over women; women are the suppressed a lot. They are the target of varied types of violence and discriminatory practices done by men all over the World. India is no different. India is a complex Country. We have, developed various types of customs, traditions and practices. These customs and traditions, good as well as bad, have become a part of our Society’s collective consciousness. We worship female goddesses; we also give great importance to our Mothers, daughters, sisters, wives and other female relatives or friends. But, at the same time, Indian are also famous for treating their women badly both inside and outside their homes.

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.

One key factor for the gap in implementation of laws and policies1 to address discrimination, economic disadvantages, and violence against women at the community level is the largely patriarchal structure that governs the community and households in much of India. As such, women and girls have restricted mobility, access to education, access to health facilities, and lower decision-making power, and experience higher rates of violence. Political participation is also hindered at the Panchayat (local governing bodies) level and at the state and national levels, despite existing reservations for women.

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.

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Rural women, as opposed to women in urban settings, face inequality at much higher rates, and in all spheres of life. Urban women and, in particular, urban educated women enjoy relatively higher access to economic opportunities, health and education, and experience less domestic violence. Women (both urban and rural) who have some level of education have higher decision making power in the household and the community. Furthermore, the level of women’s education also has a direct implication on maternal mortality rates, and nutrition and health indicators among children.

1.Somekeylawsandpoliciesinclude:Articles:14,15,16,39(a),39(d),

Domestic violenceAct(2005), SatiPreventionAct(1987), Dowry Prohibition Act and Rules(1985), the establishment of the Commission on the Status on Women, at the National and State levels.

2Reservations for women exist at the Panchayat level and there is a movement to reserve 33% seats for women in all the political parties, and all levels of national and state level political structures.

3.Among rural women, there are further divisions that hinder women’s empowerment. The most notable ones are education levels and caste and class divisions. Women from lower castes (the scheduled castes, other backward castes, and tribal communities) a re particularly vulnerable to maternal mortality and infant mortality. They are often unable to access health and educational services, lack decision-making power, and face higher levels of violence. Among women of lower caste and class, some level of education has shown to have a positive impact on women’s empowerment indicators.

Social divisions among urban women also have a similar impact on empowerment indicators.

Upper class and educated women have better access to health, education, and economic opportunities, whereas lower class, less educated women in urban settings enjoy these rights significantly less. Due to rapid urbanization and lack of economic opportunities in other parts of the country, cities also house sprawling slum areas. Slums are informal sprawls, and most times lack basic services such as clean water, sanitation, and health facilities. Additionally, slum dwellers mostly work in unorganized and informal sectors, making them vulnerable to raids by the state, abuse by employers, and other forms of insecurity. Women and children in slums are among the most vulnerable to violence and abuse, and are deprived of their basic human rights.

As a result of a vibrant women’s movement in the last 50 years, policies to advance human rights for women in India are substantial and forward-thinking, such as the Domestic Violence Act (2005), and the 73rd and 74th Amendments to the Constitution that provide reservations for women to enter politics at the Panchayat level. There are multiple national and state level governmental and non-governmental mechanisms such as the Women’s Commission to advance these policies, and the implementation of these policies is decentralized to state and district-level authorities and organizations that include local non-governmental organizations.

The policy/practice gap in India cuts across all sectors and initiatives as a result of rampant corruption and lack of good governance practices. State-level governments claim a lack of resources, and the resources they do receive are highly susceptible to corruption. Financial corruption hinders the government’s ability to invest in social capital, including initiatives to advance women’s empowerment. Since the 1990’s India has put in place processes and legislative acts such as the Right to Information Act (2005) for information disclosure to increase transparency and hold government officials accountable. Mistrust of political institutions and leaders remains high in the society with corruption and graft allegations often covering media headlines.

In addition to corruption and inadequate resources for implementation of initiatives at the community level, women’s empowerment in India is negatively impacted by the pervasive discrimination of women in the family and the community. As such, in many parts of India, women are considered to be less than men, occupying a lower status in the family and community, which consequentially restricts equal opportunity in women and girls’ access to education, economic possibilities, and mobility.

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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.

There are numerous social movements fighting for the rights of the marginalized, such as the Dalit rights movement, the tribal rights movement, etc. Women’s rights within these movements are largely unarticulated and thus reinforce inequalities within the very structures from which they are demanding inclusion. Empowerment approaches for women therefore is not only about providing services, but also about recognizing their lived realities of multiple layers of discrimination that hinder their access to services.

Similarly, access to education for girls in some of the northern states like Uttar Pradesh and Punjab does not only rely on proximity of schools. Access to education is part of a larger structural concern, including the practice of son preference, which creates inherent discriminatory practices. Education initiatives therefore cannot rely solely on building educational infrastructure, but also need to address some of the root causes of discrimination against women and girls which affect the decisions made by parents.

Women’s security, decision-making power, and mobility are three indicators for women’s empowerment. In India, and more so for rural and less educated women, these three indicators are significantly low. Data from the NFHS-3 survey on women’s decision-making power shows that only about one third of the women interviewed took decisions on their own regarding household issues and their health. Decision-making power among employed urban women was higher than among rural and less educated women. Younger women and girls experience an additional layer of discrimination as a result of their age.

Data on women’s mobility in India indicates the lack of choices women have, and that urban and educated women have more mobility choices than rural women. The data shows that about half the women interviewed had the freedom to go to the market or a health facility alone. Seventy nine percent of urban women from the highest education brackets and only about 40 percent of rural women without education were allowed to go to the market alone.

Mobility restrictions for women are dependent upon how the family and community view women’s rights. They also, however, are intrinsically dependent on the prevailing levels of violence against women in the household and the community. Abuse and violence towards women is predominantly perpetrated within the household, and marital violence is among the most accepted by both men and women. Wife beating, slapping, rape, dowry related deaths, feudal violence towards tribal and lower caste women, trafficking, sexual abuse, and street violence permeate the Indian social fabric, and create one of the most serious obstacles in achieving women’s empowerment.

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The gap in policy and practice in women’s empowerment is most visible when it comes to the level and kinds of violence women face in India. Despite the policies, laws6, and initiatives by civil society institutions, violence against women in India is widespread and the consequences for perpetrators rarely match the crime. Enforcement of laws and sentencing of perpetrators are long and arduous processes, and the gaps in these processes are further widened by corruption.

Another gap in implementing laws and policies on violence against women is the inaccessibility of information on victims' rights among rural and less educated women. Additionally, social stigma and the fear of abandonment by the family play a big role in women and girls’ ability or inability to access laws and policies to address sexual and physical violence.

**Section 370 in The Indian Penal Code: Buying or disposing of any person as a slave.—Whoever imports, exports, removes, buys, sells or disposes of any person as a slave, or accepts, receives or detains against his will any person as a slave, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.**

Section 370, Indian Penal Code Amendments and advocacy to prevent conflation of trafficking and sex work, 2013

\_\_\_\_\_\_\_The Government of India set up the Justice Verma Commission in the aftermath of the rape of a young woman in Delhi in December 2012. The committee was mandated to “look into possible amendments of the Criminal Law to provide for quicker trial and enhanced punishment for criminals committing sexual assault.”

The National Network of Sex workers made a written representation calling for recognition of the violence that existed within sex work. The submission sought for non -consenting acts of sex to be placed within the definition of sexual assault and directives to be issued to law enforcement to take Remedial action against such acts of violence.

The National Network of Sex Workers made a formal deposition on violence faced by women in sex work. However it also became clear during the two days of depositions that the Commission had extended its scope engagement to examine issues related to the “violence” of trafficking of women and children. Accordingly during the verbal submission we attempted to draw the Commissions attention to the distinction between consenting adult sex work and trafficking. Secondly that the role of communities of sex workers was critical in identifying those women who were trafficked and agencies should look at constructive partnerships.

The Verma Commission report introduces a chapter on trafficking and recommends amongst others the amendment of Section 370 of the Indian Penal Code which deals with the offence of “buying and disposing of any person as a slave”. The amended section is open to interpretation that the prostitution in of itself will now be seen as exploitative and thereby criminalizing all acts and activities related to it. We sought a clarification from the commission (See below–Clarification sought from the Justice

Verma Committee). stating that the amended section could be interpreted by law enforcement to further abuse adult consenting sex workers.

The Committee responded clarifying that the thrust of the

amended Section 370 IPC is to protect women and children from being trafficked. The committee has not intended to bring within the ambit

of Section 370 IPC sex workers who practice of their own volition. Further that the recast ought not to be interpreted to permit law enforcement agencies to harass sex workers who undertake activities of

their own free will, and their clients. (Reference below =Clarification

issued by Justice Verma ...370 IPC).

For the first time, a government appointed commission has recognised that there is a distinction between women who are trafficked for the purpose of commercial sexual exploitation and adult consenting women who are in sex work of their own volition.

The language used in the note is extremely positive. Specifically the terms “sex workers who engage in prostitution of their own volition and not pursuant to inducement, force, or coercion” and the clients of such sex workers.

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# WOMEN DEVELOPMENT AND PROTECTION: WHO IS SHE? FEW PERSONS SAY SHE IS AFTER ALL?. BUT, A daughter is the happy memories of the past, the joyful moments of the present, and the hope and promise of the future. She's a joy, she's an angel- well that's what she thinks; She clings on to your heart like a plug to a sink; She drives you all crazy with make believe games; She'll have you believe that fairies fly planes; She looks like a princess all said and done ; Her face is alive and she giggles with glee; She came into your life and captured your heart; And then from that time you won't stay apart. You may keep your son till he finds a good wife ; But your daughter thinks she is daughter for all of her life. WOMAN is a Mother, Wife, Sister, she is passionate, she is independent , she is home-maker, she is professional, she is giver, she is a friend, She is an artist, She is a thinker, She is a Trendy, She is a Believer, She is Visionary, She is experimental, She is DIVA (Lights of Candle Lamp). She is shakti like Sri Parvati Devi, Sri Lakshmi Devi and Sri Saraswathi Devi.

**Women Empowerment:** In the simplest of words it is basically the creation of an environment where women can make independent decisions on their personal development as well as shine as equals in society. Women want to be treated as equals so much so that if a woman rises to the top of her field it should be a commonplace occurrence that draws nothing more than a raised eyebrow at the gender. This can only happen if there is a channelized route for the empowerment of women. Thus it is no real surprise that women empowerment in India is a hotly discussed topic with no real solution looming in the horizon except to doubly redouble our efforts and continue to target the sources of all the violence and ill-will towards women.

### (Please read all pages with fresh mind in Morning, share information with Parents, for giving to educated relatives and friends in person or post or email while asking them to do similar thing for improvement of Girls & Women for success , happiness in their life and development in the society).

SATYAMEVA JAYETHE===MERA BHARAT MAHAAN== JAIHIND.