

## **CHAPTER: 1**

### **INTRODUCTION:**

Rights are those important conditions of social life without which no person can generally realize his greatest personality. According to the UN Charter of United Nations Human Right Convention 1948, every individual are born free as well every person have equivalent rights and the same dignity. The basis of the power of the state is mainly its capability to ensure rights. Rights are the social requirement of a man/woman for the development of his/ her personality. Harold Laski said that; rights are those conditions of social life without which no man can seek, in general, to be at his best. According to Barker, "Rights are the external conditions necessary for the greatest possible development of the capacities of the personality." TH Green defines "Rights are powers necessary for the fulfilment of mans vocation as a moral being."

### **Concept of Human Rights:**

Human rights are the essential rights and freedoms that belong to every human being in the world, from birth until death. These rights are applying regardless of where you are from, what you believe or how you decide to live your life. Human rights are those fundamental rights which are unable to remove. Human beings are rational beings by virtue of their being human enjoy certain basic and inalienable rights which are generally known as human rights. Since these rights belong to them because of their survival, they become operative with their birth

Human rights are held by all individuals equally, universally, and eternally. These rights are inalienable: we cannot lose these rights any more than we can cease being a human being. Human rights are undividable: we cannot be denied a right because it is "less essential" or "non-essential." Human rights are inter-reliant: all human rights are part of a similar framework. For example, an individual ability to participate in government is directly affected by his right to express himself, to get an education, and even to obtain the necessities of life.

Human right is those fundamental principles without which people cannot live in dignity. To abuse someone's human rights is to treat that person as though she or he were not a human being. Human rights demand that the human dignity of all people be respected. In claiming these human rights, every person also accepts the responsibility not to violate on the rights of others and to support those whose rights are maltreated or denied. These rights are the articulation of the need for justice, tolerance, mutual respect, and human dignity in all the activity.<sup>1</sup>

These are articulated in treaties, international law, bodies of principles and other sources of law. Human rights law places a compulsion on States to act in a particular way and prohibits States from engaging in specified activities. However, these treaties and legal laws do not establish human rights. Human rights are natural entitlements which come to every individual as a consequence of being human. Treaties and other sources of law usually serve to protect formally the rights of persons and groups against actions or abandonment of actions by Governments which interfere with the enjoyment of their human rights. These rights are founded on respect for the dignity and worth of each person.

Human rights are universal, meaning that these rights are applied equally and without discrimination to all individual. Human rights are inalienable, meaning that no one can have his or her human rights taken away other than in specific situations – for instance, the right to liberty can be limited if a person is found guilty of a crime by a court of law; These rights are undividable, interconnected and inter-reliant, for that cause it is inadequate to respect some human rights and not others. In practice, the abuse of one right will often affect the respect of some other rights. Therefore human rights should be seen as having equal importance and of being equally essential to respect for the dignity and worth of every person.

Experts have their different views and definitions on human rights. Some of the widely accepted definitions of Human rights are as the United Nations Centre for

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<sup>1</sup> Naik Varun and Sahni Mukesh (2011), *Human Rights Issues and Perspective*. Published by Crescent Publishing Corporation. New Delhi.

Human rights defines “as those rights which are inherent in our nature and without which we cannot live as human being.”<sup>2</sup>Nickel characterizes human rights as “norms which are definite, high priority, universal and existing and valid independently or recognition or implementation in the customs or legal systems of particular countries.”<sup>3</sup>Szabo puts human rights within the structure of constitutional law, and defines “to defend by institutional means the rights of human beings against abuse of power committed by the organs of the state and at the same time to promote the establishment of human living conditions and multidimensional development of human personality.”<sup>4</sup>D.D. Basu said about human rights that, these rights are those minimum rights which every individual must have against the state or other public authority by virtue being a member of human family, irrespective of any other consideration. Subhash C Kashyap defines about human rights that, these rights are those fundamental rights to which every man inhabiting any part of the world should be deemed entitled by virtue of having been born a human being. S Kim defines human rights are claims and demands essential to the protection of human life and the enhancement of human dignity and should therefore enjoy full social and political sanctions. Bennett defines, human rights include those areas of individual or group freedom that are immune from governmental interference or that because of their basic contribution to human dignity or welfare, are subject to governmental guarantees, protection or promotion.<sup>5</sup>

### **Concept of Women’s Rights:**

Rights of women are those privileges which are claimed for women. The global demand for equal rights for women shaped the foundation to the women right movement and feminist movement. Although there are many nations which have systemized the women rights by their own law and their social tradition, but lots of nations underestimate the rights of women. They overlooked the issues connected with women rights such as, the right personal property, the right to hold public office,

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<sup>2</sup> Yasin, Adil-ul and Archana Upadhaya (2004), “Human Rights”, Akansha Publishing House. New Delhi. P.3.

<sup>3</sup> Ibid. p.3

<sup>4</sup> Ibid. p.4

<sup>5</sup> Agarwal H.O. (2005). Human Rights published by central law publication Allahabad. P.3

the reproductive rights, the right to cast vote, the right to protection from sexual violence, etc.<sup>6</sup>

The term "women's rights" and the set of practices that accompanies its utilization are the constantly developing result of a worldwide movement to improve the status of women. In the 1980s and 1990s, women's movements around the globe shaped networks and alliances to give better visibility both to the issues that women face every day and to the centrality of women's experiences in monetary activities, social, political and environmental issues. In the evolution of what is turning a global women's movement, the term "women's rights" has served as a locus for praxis, that is, for the improvement of political strategies formed by the communication between logical insights and concrete political practices. Further the vital tools, the intensive activism, and the expansive based worldwide networks that have grown up around movements for women's rights have become a vehicle for women to build up the political skills essential for the twenty-first century.

The idea of women's rights owes its achievement and the proliferation of its use to the fact that it is simultaneously prosaic and progressive. On the one hand, the concept of women's human rights makes common sense. It announces, basically, that as human beings women have human rights. Anybody would find her or himself unable to publicly or openly make and protect the opposite argument that women are not human. So from various perspectives, the claim that women have human rights seems fairly common. On the other hand, women's right is a progressive and revolutionary idea. This revolutionary reclamation of humanity and the consequence insistence that women's rights are human rights have profound transformative potential. The amalgamation of women's perspectives and lives into human rights standards and practice forces recognition of the dismal failure of nations worldwide to accord women the human dignity and respect that they deserve—simply as human beings. A woman's human rights structure equips women with a way to define, analyze, and eloquent their experiences of violence, deprivation, and marginality. Finally, and very

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<sup>6</sup> [http://en.wikipedia.org/wiki/Women%2527s\\_rights](http://en.wikipedia.org/wiki/Women%2527s_rights)

importantly, the concept of women's human rights provides a universal framework for developing a vast array of visions and concrete strategies for transforming.

State has the responsibilities to change the laws and policies, winning hearts and minds, and putting resources in to strengthening women's organizations and movements. These groups are fighting to ensure women can be the owner of property, cast their vote, run for public office, and live liberated from brutality. The rights of women are human rights therefore women are unrestricted to all of the human rights. But due to the gender discrimination, more or less everywhere around the globe, women and girls are still deprived of their birth rights.

Even today also the rights of women are rigorously violated not only in India but also around the globe. The society does not recognise women's rights as a first priority.

United Nations has addressed the women's rights from the birth of this organisation. In current decades the United Nations has achieved more development particularly protecting the women human rights.

Although the United Nation have done lots of work for protecting the women rights ,but unfortunately the gap between men and women still remain. The discrimination against women is consistently rising with some new indication. Lots of women face extra types of unfairness such as based on race and society, based on her religious faith, based on her health, education and marital status, based on her socioeconomic status, etc. These types of unfairness have to be taken into a report when initiating the measures and responses to battle discrimination against women.<sup>7</sup>

Women are free to enjoy the equal human rights and basic freedoms as other persons. International human rights treaties want all the countries have to take proactive measures to ensure that women's human rights are respected by law and to abolish discrimination, inequalities and practices that negatively influence women's rights. Under worldwide human rights law, women may also be free to specific extra rights such as those relating to reproductive healthcare.

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<sup>7</sup> <https://www.ohchr.org/documents/events/whrd/womenrightssarehr.pdf>

As a vulnerable group, women have special privilege and protection within the United Nations and regional human rights organization. Various International human rights treaties and agreement prohibit discrimination on the basis of gender and State parties also require to ensuring the protection and realization of women's rights in all areas – from property rights and freedom from violence, equal right of access education and participation in the decision-making process.

Gender equality is a major objective and initial idea in the struggle to achieve women's human rights. The broad concept of Gender equality is the equal rights, responsibilities and opportunities of women and men and girls and boys without any discrimination as well as Men and women must have equal opportunity to enjoy the full range of human rights in every field of life. Although various key human rights instruments have prohibitions on gender discrimination and progress has been made toward the accomplishment of gender equality, important objectives for the empowerment and equality of women have not been reached yet.

For instance, in numerous nations women remain underrepresented in government and corporate administrative positions, earn lower wages. The understanding of gender equality will require governments, institutions and individuals to commit resources, develop mechanisms, and hold one another responsible for the endorsement and protection of women's rights. For this purpose, 189 governments embraced the Beijing Declaration and Platform of Action, which is not lawfully binding but has nevertheless been integral to the detection of areas of serious concern and the development of a futuristic agenda for achieving gender equality. The Beijing Declaration identifies 12 priority subjects where action is necessary to deal with the gender gap. Recognizing that “discrimination against women begins at the initial stages of life, hence it must be addressed from then onwards,” the Declaration and Platform move forward strategic objectives to improve the situation of women.

The United Nation Millennium Development Goals put definite aims to decrease poverty, including objectives for improving the gender equality in the educational

field, working fields, and women representation in decision making process.<sup>8</sup>After analysing the millennium development goal, it is found that the development was uneven.

The areas which is not addressed in the millennium development goals are still at risk as per as women rights is concern such as brutality against women to sexual and reproductive rights. Women those are already marginalized because of their nationality and race, ethnicity, caste and class, sexuality, income or social position see the least gainer of all.<sup>9</sup>Development Goals hold genuine promise to set in advances in women's rights.

In every society women is one of the most vulnerable sections. They are victims of violence in every moment of their life. In every society the democratic rights of the women are being curtailed by the so- called democratic government. Women as a part of the society are also sufferers of such curtailments and restraint. But at the same time they are also victims of traditional thoughts of a patriarchal society and it is clearly noticeable in family and society at every stage of life. History gives millions of such examples and many more there remain untold. Women rights violation has always been causing unspeakable miseries to many victimized women down the ages while human rights normally adhere to the sign of the symbol of human development for a sustained socio-economic development of a nation.

Aftermath legislation can hardly protect the right of women. The women have continuously been mistreated and have become victims of exploitation, embarrassment and torture. They are beaten, kidnapped, burnt, raped and murdered. In worldwide violence affects the lives of millions of women, in all socio-economic and educational classes. Violation hampers the rights of women to take part fully in society and it cuts across cultural and religious barriers. Cruelties against women are happening variety of forms, from domestic brutality and rape to child marriages and female circumcision. All are violations of the most basic human rights.

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<sup>8</sup> <http://www.globalfundforwomen.org/womens-human-rights>.

<sup>9</sup> *ibid*

The former United Nations Secretary-general, Boutros Boutros-Ghali, in his statement to the Fourth World Conference on Women in Beijing in September 1995 said that violence against women is a universal problem that must be universally condemned as the problem continues to grow.

### **Statement of the problem:**

The research problem formulated for this study is: “Rights of Women”: A case study of Baksa District. It is based on some significant assumptions. The present study endeavours ‘to explore the status of the rights of women in the Baksa District of Assam, by locating it within the theoretical framework of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW). The study also analysis, why the status of women’s human rights in Baksa district is lower than other parts of Assam, basically in education, health, socio-economic and politics.

There are numerous challenges in front of the matter of the right of women. Targeting the problems and issues of women’s rights will directly help to the elimination of discrimination against women which is one of the major objectives of the convention.

Education is one of the major challenges before women. An illiterate woman does not know the way of life. Furthermore the traditional norms of culture state that the man of the family is the be-all and end-all of family decisions is slowly spoiling the society of the country. The gender unfairness is in educational fields, particularly professional education or skill based training which strike women very hard in self-employment.

Education can change the life of a person. Education is an influential instrument of social transformation. Hence, education for Women has to be ensured in the educational system. Gender sensitivity must be developed. An observation has to be kept on dropout rate of girls, and remedial measures should be taken to ensure the dropout rates.

Women health and security concern are vital for the happiness of a nation, and it is an essential matter in estimate the empowerment of women in a nation. On the other



hand there are shocking concerns where maternal healthcare is concerned. Today, due to the rapidly increasing population of the country, that number is definite to have multiplied considerably. While there are a number of programmes that have been put into action by the by state and central government in India, but unfortunately the goal is far ahead. Women face high threat of undernourishment therefore concentration would have to be given to meet up the dietary requirements of women. The major problem is that most of the nations are not serious about the women health issue. Therefore, they are the most exploited lot. The Social activist should keep a vigil on the violence committed on women belonging to weaker sections and help them to light the legal battle for obtaining justice. Schemes need to be introduced for helping women who are victims of marital violence. Awareness programmes have to be arranged for increasing the consciousness of health rights among women specially those are marginalised by the society.<sup>10</sup>

Women's involvement in politics makes the democratic organization more efficient and practical. The occurrence of women and their participation in public sphere and decision-making process has been extremely low both at the public and state levels

Women have been marginalized politically in our nation. Democracy can never function in the real sense of the term, if there is no proper involvement of women in the decision making process. Democratic system can never work in the genuine feeling of the term, if there is no legitimate contribution of women in the decision making process.

Notwithstanding, just by establishing enactments will not help the women. They should be appropriately spoken to in the selection and policy making bodies in any case; will consistently remain unrepresented and ignored. They are not satisfactorily represented to in the parliament and in the state assemblies. In spite of the fact that, the nation has enactment that ensures fairness under the watchful eye of the law. Majority of women in India are as yet battling to manage the weight of duty and

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<sup>10</sup> <http://www.ipemgzba.ac.in/ipem-journal/Law-Journal.pdf>

handle the different deterrents that are coming their way from their customary societies.

The need for the present study arises from the conviction that the rights cannot be comprehensive and complete as a multi disciplinary discipline without an authentic representation for gender perspectives. Violation of women's right has emerged as one of the most visible and articulated social issues of all over the world. The violation of women's rights has become one of the most worrying problems of the time for the entire world civilization. It has been observed that the Baksa district is lagging behind in every respect of education, health, socio-political, economic and cultural development. Lack of awareness among women and women organization about women's right to prevent the violence against women can be easily witnessed.

### **Research Question:**

This present study is focused on the discriminatory position of women in the family and society .The study is focused on this question—

1. Why women are neglected or discriminated in the field of education, health, and politics?
2. Are the traditional rules created only for women?
3. Does the gender roles neglected in the Society?
4. Why women are generally excluded from access to power structures and participation in decision-making?

Therefore this problem has been selected for a thorough probe.

### **Scope of the study:**

This study has been conducted in Mushalpur and Tamulpur subdivision of Baksa District of Assam State, reason been that the area is one of the underdeveloped area in terms of human development related indicators as compared to whole of the State of Assam. The Baksa is an autonomous district. Baksa is a part of B.T.A.D. which enjoys the status of autonomy under the provision of the sixth schedule to the

constitution of India. Bodoland Territorial Autonomous District popularly called B.T.A.D. was formally inaugurated on 2003. Baksa district is bounded by Bhutan in the north side, Udalguri district in the east side, Barpeta, Nalbari and Kamrup districts in the south side and Chirang district in the west side. Geographical area of Baksa district is 2400 km<sup>2</sup>. The total number of population of Baksa district is 9, 50075 lakhs, out of these the total male population is 4, 81330 and total women population is 4, 68745. The total literate persons of this district is 572837 lakhs, out of these total male literates is 322614 and female literate is 250223. Overall district literacy rate 60.3%, which consists male literary rate 67% and female literary rate 53.4% (Census 2011).

### **Limitations of the study:**

There exist some limitations in each and every study. The present study is no exception; the first limitation of current study is that it is focused merely on women's rights. The second limitation is that it is limited to the analysis of the status of women's' rights in Baksa district only. Thirdly, the most important limitation of the study is that it does not have enough secondary data, because Baksa is newly created district. It was created in 2003. So, one has to depend on the census data of 2011 only.

### **Theoretical framework:**

The proposed study will employ The Convention on the Elimination of all forms of Discrimination against Women (CEDAW) as its theoretical base. The study will try to examine the actual status of women and "rights of women" in the context of the CEDAW.

Although, there are 30 articles in the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) but the present study analysis only Article 5,7,10 and12.

In the article 5, the main importance should be given to getting the abolition of discrimination and traditional convention which are based on the thought of the superiority or the inferiority.

In the article 7 of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) reveals that States Parties have to take all suitable way to abolish bias against female in the political and public life of the state.

In the article 10 of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) says that States Parties have the responsibility to take all suitable way to eliminate bias against women. There should be equivalent privileges with male in the ground of education.

Article 12 of the Convention on the Elimination of all forms Discrimination against Women (CEDAW) advocate that; States Parties have to obtain every suitable method to abolish bias against female in the ground of health care. There shall be no discrimination between male and female for enjoying the health care services. All women have the right to use health facilities such as maternity related issue, family planning etc

### **Objective of the study:**

The objective of this study is as follows:

- 1) To study about the factors and issues affecting the rights of women.
- 2) To examine the actual status of women's rights in India on the basis of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW).
- 3) To analyse the human right status of women in Baksa District in the context of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW).
- 4) To suggest the measure so that human rights of women are being realized.

### **Literature Review:**

At the initial stage of a research, a researcher should go through the relevant literatures. This chapter presents a review of the existing literature relating to women's rights which is the central theme of our Thesis. So, there is a need to review

the existing definitions and measures of women's rights. The study attempts to understand what kinds of difficulties the previous studies have faced in measuring women's Human rights; what the different indicators of women's Human rights are; what the existing policies are to accelerate women's rights, there is a need to understand the possible determinants of women's rights. In order to collect the existing knowledge about the above mentioned facts there is need for a broad literature survey. Keeping this view in mind, the researcher has reviewed various literatures relating to the study.

The current literature is based on five themes relating to human rights of women or women's right.

### **Studies relating to Women's Education, Health and Empowerment:**

In this section the studies relating to women's education and empowerment, impacts of different socio-economic characteristics of women on her empowerment have been discussed.

*Dhawan and Sharma (1986) in their research paper "Health Problems of Rural Women 'in Health and Population: Perspective and Issues",*

The researcher studied the two villages of Hisar district (Haryana) to determine the nature and extent of health problems of rural women by interviewing them and identified health problems were classified. The finding of the study indicated the prevalence of a number of health problems among rural women, and a need was felt for their education on health aspects. The survival of a government hospital in villages had no association of important level with the health problems of rural women. Majority of the respondents are not satisfied the treatment given in a government hospital.

*Padmini Swaminathan(1997) " Work and Reproductive Health : A Hobson's choice for Indian women" in Economic and Political Weekly.*

The study observed statistical correlation between increase in women's outside employment and decrease in birth rates has catapulted the demand for increasing

women's wage employment as a primary good, not necessarily on its own merit; but as part of the demographic drive to reduce fertility. Focusing on Tamil Nadu the author argues in addition that a demographic model state need not necessarily be a reproductively safe place.

*Janzen (1998) in his book "Women, Gender and Health"*

The author presents a broad over-view and synthesis of the recent research literature on the major psychological influences on women's health. The book reviews the variability of health among women, with a particular emphasis on diversities in health according to women's major social roles of partner, parent and worker. The background within which social roles are carried out; specially the socio economic background is identified as a critical factor. While research examining women's health within the context of both social roles and maternal circumstances have produced complex findings, the researcher reviewed in this study clearly suggest that suitably document and understand the unpredictability of health among women, concentration to the particular situation of women's lives is necessary. The research also attempts to describe gender related differences in health.

*Vyas Girija (2008) in her article "Women Empowerment: Remedy for social Elevation"*

The author has talked about that empowerment is a ceaseless procedure for understanding the beliefs of uniformity, human freedom and opportunity for all. The requirement for women empowerment was felt in India a long back. The state worry in protecting the rights and benefits of ladies discovered its best articulation in the constitution. The significant arrangements that have imperative ramifications for women's are 'National Policy for Empowerment of Women', 2001. The authorization of the 73rd and the 74th amendment is a milestone in women's empowerment, and administration should be executed viably. The creator puts her perspectives forward, that a lady should be arranged towards political objectives. Subsequently, strengthening lies in a solid self control and a sex simply change in the entire framework, covering the major interrelated issues. It requires contribution of each

fragment of society, women as well as men, government, laws, legal executive, ideological groups, just as social reformers, strict pioneers, writer and media.

*Moreno Heidi Stockl Claudia Garcia (2009) in their article "Protection of Sexual and Reproductive Health Rights: Addressing Violence against Women"*

The authors discuss that violent behaviour against women is recognized as a universal public health and human rights crisis. Violence against women affects women's health, including their sexual and reproductive health, and their human rights. In last 15 years the progress has been made but there is still long way to go.

International human rights law and community health provide tools to governments and non-governmental actors to make sure women a life free from violence and its consequences. Health policies and services require dealing with violence more systematically and health providers must take action. At least, they should be informed and capable to react appropriately to violence, providing proper care and recommendation to other services. Equally, if not more significant, is to provide support to interventions that stop violence against women from happening in the first place.

*Devi Radhika and Kumar Ajith (2010) in their paper "Health of Women in Kerala: Current Status and Emerging Issues".*

The authors examine the health status of females in the state of Kerala. The state position at the top in terms of HDI,SDI and GDI among the states in India as well as the state also described as a land of good health at low cost and is reported to have the lowest rural-urban inequalities in community health status. The paper attempts to move along the life of Kerala women picking up essential elements that are appropriate to health study; for comparison the national scenario is presented whenever possible, a comparison is made with men. The indicators measured in this paper can be generally categorised as those reflecting the general health status, child health, reproductive health and health of the elderly, some environment related factors have also been analysed. The paper also calls for an in-depth analysis of the health policies of the state to understand whether the state has been responding with gender

sensitivity to the varying health care needs of women beyond and before the reproductive age.

*Saha and Sahu (2010) "A trend in Women's Health in India- What has been achieved and what can be done."*

The paper analysed that the health of Indian women is intrinsically linked to their status in society. The researcher found that Indian women's status is very low, their family contributions are frequently ignored and they are likely to be regarded an economic burden, particularly in rural areas. This approach has a negative impact on their health status as well as Poor health has repercussions not only for women, but for their children and other family members also. This paper focuses on the trend in five key women's issue in India maternal and child health, violence against women, nutritional status, unequal treatment of girls and boys, and care quality.

*Nair Nisha (2010) in his paper "women's Education in India: A situational analysis"*

The author examines the issue of women's access to education in India. With the help of existing literature and different statistics regarding women's education, the paper provides a general idea of the state of education with respect to women and highlights some of the issues and hindrances to women's education. Based on an analysis of these issues, some recommendations and suggestions are presented in terms of grassroots level interventions, tactical initiatives and enabling policy framework, towards improving women's access to education.

*P. J. Gertler, M.O Rahman, Peabodyr, (2012) in this book "Policy and Health: Implications for Development in Asia"*

The authors discuss about the role and responsibilities of the government in the health sector. Drawing on their broad experiences in Asia by exploring the health effects of macroeconomic development, education and technology, the book says that there is a need of formulation of the health policy with accurate data for better health care. The book suggests that increase in private participation or funding for meeting objectives of health care of the poor as poverty is one of the reasons why people cannot access the health care facilities. Education is very important for better health



care along with the role of the government for implementation of the policies in the actual sense.

*O.P.Meena (2012) "Empowering Rural Women"*

In this book focuses the varied dimensions of empowering rural women. Empowerment of women involves a lot of things- financial opportunity, social equality and individual rights. In rural areas, women are usually not perceived to have any meaningful income generation capability, and hence, they are busy with household duties and cheap labour. Without their empowerment or self- dependable and earn a good income, their voices are silenced.

*Aggarwal Manav (2014) in his article, "A Study on Challenge for Women Empowerment"*

The study analyses that education among women is the most integral asset of accomplishing power in the general public. It helps in diminishing imbalances and capacities, as a method for improving their status inside the family. Education is necessary for everybody but unfortunately in this male dominated society, the education of women has been disregarded for quite a while. Engaging women is a significant end in itself and will procure a similar status with men regarding social, financial and lawful sense; their human prosperity will be improved. The present study investigates the role of education in women empowerment and the status of women education in India and proposed that; education is most significant part in the life of each woman.

*Swati Chakraborty (2015) "Right to Education": A study on Tribal Women of Rural Area of West Bengal*

The Thesis reveals that; Education is a basic human right and important for the exercise of all other human rights promotes individual liberty and empowerment and yields essential development benefits. But millions of women remain deprived of educational opportunities. Education is a landmark of women empowerment of the tribal community because to tackle their traditional role and change their life. It is an important instrument to change the socio-economic picture of a community; so that

we cannot ignore the importance of education in reference to women empowerment. India is going to reach the position of a superpower; but unfortunately still the progress of tribal women's education in rural areas is very slow. Till now a huge number of tribal women in India have been uneducated, weak, backward and oppressed. Literacy can reduce disparities as well as improve their position inside the relatives. This research on Right to education: a study on tribal women of rural area of West Bengal; an initiative has been formatted to man rights and escalate the situation of education among Scheduled Tribe women.

*Sehgal Rohit (2015) in his paper "Women education: Its meaning and Importance"*

The author discusses the importance of women education. Literacy can improve the conscious level about women rights. Literacy also guide to turn down in cases of brutality and discrimination against women such as early marriage, dowry, forced-prostitution, female feticide, etc. Education can guide women for successful future. Girls have to get equal chance for the educational field, because with the help of education she can prepared to become professor, doctor, lawyer and any other profession of her own choice.

*Barman Sampa (2015) in her article "Policies and Recommendations of Women Education in the Context of Modern Indian History"*

The author discusses about the various policies of women education in India and gives some recommendations. Indian constitution guarantees equal rights to men and women in the Articles 14, 15 and 16 of part III of the constitution. This study discusses various policies; recommendations like educational commission of 1881-82, Radhakrishnan commission 1948-49, Mudaliar commission 1952-53, Kothari commission 1964-66. The National Education Policies (1968, 1986) have strongly suggested the requirement for spreading education among girls. Indian Government take various developmental Schemes and Programmes for women-Kanya Vidya Dhan Yojna, Kasturba Gandhi Education Plan, Baalika Samridhi Yojna, Girls Empowerment Scheme, Women Reservation Bill, National Women's Commission etc. This policies and Schemes, Programmers helps to find out different ways of

development and empowerment of women. In 2013, 19% increase of girl's enrolment over 2002 from total enrolment. This study totally focuses on the topic Policies and Recommendations of Women Education in the context of modern Indian History.

### **Studies relating to political participation of women:**

In this section the studies relating to political participation of women have been discussed.

*Gayatri Kar(2002) "Political Participation of Working Women"*

In this thesis the author discusses about the women's participation in decision making process. Political participation is a basic necessity in a participatory democracy. It is the principal means by which a political system generates legitimacy and maintains stability. Civic culture in a democracy demands that all citizens irrespective of sex, caste or class are to be properly informed, knowledgeable, interested and involved in the political process of the country. Political participation of women is one of the major indicators of women's status and identity. Women are supposed to be not only the subjects but also the participants in the political system and process of the country. With this backdrop, the present study deals with working women's political behaviour dimensions. In a limited study like this, the political behaviour of working women has been studied within the modest frame provided by the conceptual nexus of politicization and political participation. This study aims at analysing the various interactions of working women with their environment, their political learning process and the level of their political perceptions and participation. The way they perceive politics and the attitude they take up on different political issues and on different political events and thereafter participate in the political process have formed the core point for careful analysis in this dissertation.

*Agrwala Vidyawati and Chakravarti Manas (2006), "Women and Politics in India"*, In this book, the authors discuss that woman participation in politics has been steady progression with immense variations in time. During the period of freedom struggle, there are several issues, where women not only participated but also became aware of their rights and opposed the dowry system, sati system, etc. After independence also

numerous women leader actively participate in the various debate of parliament and the legislative assemblies. The authors have given complete explanation of the bills introduced in the parliament from time to time and argues that the role of the women lawmakers are in no way less important than their male counterparts.

*Ram Sundar D. (2009) in his study "Women Empowerment in Political Institutions: An Indian Perspective"*

The author deals with the issue of women political empowerment. The issue of political empowerment of women in India is very difficult one and highly debatable, specially since the introduction of the Women's Reservation Bill in Lok Sabha. Women constitute half of the India's Population, but their political participation is highly negligible. Since the independent the place of women in politics has always been marginal. From first Lok sabha to fourteenth loksabha women's participation has not come up to even 10 percent. The similar situation is visible in Rajya sabha also. The author suggests the two valid policy perspectives: firstly, the need to boost the political representation of women at all levels from Gram Sabha to Lok Sabha and secondly, the required for 50 per cent women reservations in all levels of decision making institutions in India.

*S. Lal (2010), "Women in Indian Politics",*

In this book the author discusses about the role of women in Indian politics. In contemporary age of modernization, women have made their occurrence felt in almost all field and politics. Although India is known for its male dominated societies since ages, the ice is now steadily breaking. Indian politics is now governed by women politicians. In most parties, the women members are by and large little on the ground, and rarely influence the more significant party policies. Most significantly the majority of women law maker are from the elite class, while their public role challenges some stereotype; their class status also allows them variety of options, but these are not available to poorer women.

*Ghatak Sandip Kumar (2010) in his article "Political Participation of Women of West Bengal:"*

He analyzes the idea of political participation among its people. He found that no earnest exertion is made by the political parties, with the goal that a significant number of women can go into the party association and decision making process. The role of women association, the role of the family and social commitments is significance in such manner. Be that as it may, family and social commitments end up being a significant block for women. The author proposes that, so as to improve the situation of the women in the lawmaking body, the primary dynamic role have to be taken by the family and afterward by the political parties. The status and position of women ought to be improved from the family level to the political associations and make a comprehensive role of women in decision making bodies.

*Sharma Anjana (2011) "Women's Participation in Political Decision making in the Grassroots Level: A Case study of Two Blocks of Kamrup District"*

This thesis analyses the various concepts related with the topic. The concepts of decision making, Participation, empowerment and Grass root Democracy. The thesis also deals with the evolution of Panchayati Raj system in India and Assam. It has revealed the changes of Panchayat institutions after independence. It also discusses the status of women in India and Assam.

*Nandita Dutta and Sumitra Jha (2014) "Women and Politics",*

In this study the authors reveals that, in a major political movement of this century, in all movements of social change, women have played a very significant role. But despite participation and mobilization of women in politics, in the broad sense of the term, it has not seen a proportionate increase in the number of women in different level of decision making. One of the major problems for a country is minor activity of women in decision making process. Women's participation in decision making process is very low.

*Chadha Anuradha (2014) in his paper "Political Participation of Women: A Case Study in India."*

The author reveals that the Constitution of India ensures universal adult franchise and gives full chances and system to women to participate effectively in legislative issues. Yet, it is feeling sorry for that the decades following freedom saw a decrease in the interest of women in the legislative issues. The state and society appear to remain at the back in offering them political reservations that were long past due.

*Dr. Pawan Kumar Tiwari( 2015) "Political Participation of Women in India and The Role of Mass Media"*

In this paper the author discusses the political participation of women in India. In India the number of women representatives is very low compared to the number of male representatives. Women are generally regarded as followers. There is a widespread feeling in a male dominated society that women are not able to provide good and effective leadership. In most of the societies women are not given the opportunities to enter in the field of politics.

*O. Goyal (2015) in his paper "Interrogating Women's Leadership and Empowerment"*

The study shows a fascinating range of perspectives on women empowerment. He brought up that politically women assumed a significant work in the freedom movement under Gandhiji and have additionally embellished the most remarkable situations in the ground every once in a while. This reality must be acknowledged in light of the fact that, it demonstrates that our constitution and discretionary framework give adequate extension for women's to ascend to the top at the middle and in the states. The creators in this book introduced a notable cluster of scholarly bits of knowledge into the different parts of women's empowerment. In the 21st century, despite everything talk about the need to enable a large portion of the number of inhabitants in this nation, is confusing. From one viewpoint, the absolute most punctual activities to teach women's go back to the late eighteenth century. Some recorded writings see the birthplaces of the women's developments in India in the social changes of the nineteenth century, when the prominent women' associations

were set up by the two women's and male social reformers. Then again, they are as yet doing combating an antagonistic sex proportion, a high dropout rate and an intrinsically male centric culture. This volume reflects, women pioneers play a more improvement arranged delicate force job than a political one. It should be noted that they are not, at this point weak intermediaries for the men. They found that the quantity of women in the corporate part is still not exactly alluring; slowly women's are going into non-conventional fields like banking and bio-technology.

*Jai Kiran (2018) "Participation of Women in State Politics: A Case Study of Himachal Pradesh."*

In this study the author discussed about the political participation of women, Political participation means participation in political activity such as active participation in political parties, active role in decision making process and awareness in politics. But unfortunately the women participation in decision-making process and party activity is very low in India. The study also discusses the government initiative of gender equality and various organisations role for the upliftment of women.

### **Studies relating to women's right violation:**

This section reviews some selected studies relating to violation on women rights.

*Werner Menski, (1998) "South Asians and the Dowry Problem"*

In this collection of articles by authors from different professionals- lawyers, economists and sociologists, an attempt has been made to untie the causes of growing dowry related violence in India.

The matter of dowry is treated not only as an issue of the criminal or property law but also as a complicated fact with historical and socio-economic roots. The study also includes issue of economic and sociological explanations, geographical distributions of dowry deaths, legal strategies to restrain the dowry and its successful implementation. In conclusion, a realistic strategy to eliminate the dowry and bride burning has been formulated on the same line as was adopted at the first International

conferences on the dowry and bride burning in India in 1995, and revised and ratified at the 2nd and 3rd conferences in 1996 and 1997.

*Ripima Buzarbaruah, (2002) "Violation of women's human rights", A Case Study in Kamrup District, Assam*

In this thesis the author discusses descriptively that, violation of women's human rights is pervasive phenomenon. The legislations have not been able to change the condition of women as expected. Therefore, in the present circumstances, what is necessary is the emancipation of women from the age-old injudicious and discriminatory social norms and practices. Moreover, women must combat their own belief of inferiority and assert themselves. Then only they will be able to enjoy their rights properly. Widespread abuse of women's human rights has become a issue of serious concern. The social circumstances are not favourable for the protection of women's human rights and that the protective laws make little meaning in the lives of majority of women. It is a fact that even the state in India has not attempted effectively to outlaw the subordination of women to men or to change the relation of dependence within the family. Thus, society and state also contribute to continue the subordinate position of women and deprive them of their basic human rights. Family, as a major agent of socialization process is also responsible to a great extent for the present condition of women. Lack of legal awareness, loopholes and deficiencies in the laws worsen the situation. However, expectations may be made that legal awareness among people, necessary modifications in the laws, integrity on the part of the law makers, the law enforcers and the adjudicators will make the situation better.

*B.S.Aswal (2010) "Women and Human Rights"*

In this book the author discusses descriptively that; Human rights belong to everyone, yet horrific violations occur in a daily basis against women in homes, workplaces, communities, and civic institutions. In many countries, violence is as unconcealed and preservation women's legal rights under the law, including the right to restrain a job, inherit property and to get protection from violent behaviour.



*Dr. Preeti Misra (2012) "Violence against Women and Human Rights: A Critical Evaluation"*

In this paper the author focuses on Human rights violence against women in India. The condition of Indian women is very much disgusting. Women are still regarded second rate citizen. She is subjected to all kinds of humiliations, bias and brutality. She is also denied opportunities in life. Even at the threshold of the 21<sup>st</sup> century, having so many legal and constitutional rights, a woman has not been given her due place in society.

### **Studies relating to Protection of Women's rights:**

This section discusses the studies relating to protection of women's human rights.

*Arun Ray Mahapatra's, (2001)"National Human Rights Commission of India*

In this book he explains the formation of NHRC. He said that increasing attention should be given to the protection of the rights of vulnerable groups in society including minorities, indigenous people, rights of the children and women, which is the most important challenge in front of the NHRC at the moment.

*Lovely Paulose (2004) "International human rights movements and protection of women's rights"*

This thesis is an endeavour to investigate the issues looked by Indian Women and to analyze the manners by which the basic liberties of women could be better ensured in the light of global developments with uncommon reference to public enactment and legal choices. The development of common liberties from early period to Universal Declaration of Human Rights, 1948 is followed in the first chapter. The second chapter manages the development of fundamental rights in India. The development of fundamental rights and directive principles and the rolled by the Indian Judiciary in upholding the human rights listed in different global instruments discussing basic freedoms are additionally discussing in this part. The rights ensured to women under the different international documents have been discussed in the third chapter. It is seen that the international documents have had their effect in India prompting making of machinery for protection of human rights. Sorted out infringement of women's

rights, for example, prostitution, devadasi system, violent behaviour at home, sexual harassment at working environments, the evil of the dowry, female infanticide etc have been broke down in the light of existing laws and decisional law in the fourth chapter. The fifth chapter examines the decisions and agreement that rose up out of the world conferences on women and their effect on the Indian Society and Judiciary. The sacred arrangements and authoritative arrangements securing the privileges of ladies have been fundamentally inspected in the 6<sup>th</sup> chapter. Chapter seven arrangements with different instruments evolved to secure the basic liberties of women's.

*B.D.Usmani (2015) "Human Rights Protection"*

In this work the author discusses that; the situation of human rights in India is a complex one, as a result of the country's large size and tremendous diversity. Protecting human rights is closely linked to advancing long-term, suitable development. The book analytically introduces the dynamic development and progress of human rights. It analysis the contemporary human rights responsibilities and also provides the analytical and strategic tools needed for the next generation of activists.

*Dr. Myneni S.R. (2017) in his book "Law relating to Women"*, is a subject of general importance, and the learned author in this short commentary on the subject had dealt with the Status of women in India and its historical background. Human Rights and Women, Protection against discrimination to Women Guarantee under the Constitution of India, Enactments relating to Women and Child Labourers as per Directive principles, Maternity laws, Equal pay for equal work, Child Labour laws, Personal laws of Women, Matrimonial causes Rights of Women, Law relating to Divorce of Women, Law relating to Maintenance of Women, Law relating to Guardianship of the child, Law relating to Adoption by a Woman, Law relating to Succession Rights of Women, Family Courts Act and also other Legislations relating to Women s Issues etc.

*Somnath Roy, (2017) "The laws on protection of women against discrimination: An impact analysis"*

In this study the author says that; the basic institution of the society is family and in order to form a family the function of the women folk is very essential. A man in a family can be said to be incomplete without a woman. In spite of the important role played by a woman in the formation of a family, it is really very difficult to find out the status and real position of women in Indian society. Gender inequality is a global phenomenon. The study also discussed the actual position of Indian women differed from various regions, classes and castes. Women are the most vulnerable target of the Indian society in spite of the crucial roles played by them in the family and as a whole in the society. Without women the sustenance of human race would be a mere impossibility. Still they are oppressed and suppressed and dominated in the society mainly by the male folk of the society and even sometimes by other women also.

### **Studies relating to Gender bias and status of women:**

In this section the studies relating to Gender bias and status of women have been discussed.

*Kathryn Gleadle (1998) in his book "The Early Feminists, Radical Unitarian and the emergence of the Women's Rights Movement, 1831-51"*

The study focused the weakness of the existing historiography of early Victorian feminism, by addressing itself to the origins of this campaign. In particular, it questions the historical supposition that the women's rights movement started in the 1850s. The study of the particular group of reforming activists, which termed the "radical Unitarianism", demonstrates that it was during the 1830s and 1840s that the essential ideologies and personal networks which were to determine the feminist movement of the successive decades were laid. The existence of a feminist custom dating back to the early 1830s has been woefully ignored by previous histories of the women's rights movement.

*Pampa Sen Gupta (2003) "Women and work in India: A Study of some Aspects of Gender-bias"*

The study deals with one of the most common forms of gender-bias as noticed in the Functioning of labour market and the low female work participation rates. The study makes a detailed analysis of the extent and nature of occupational (industrial) segregation by gender, primarily on the basis of population Census data. The study reveals that intensity of gender-bias particularly in respect of segregation in labour market is of great concern. However, the condition is showing a predisposition towards minor development over the last two decades, the absolute level of the problem is still disturbing and calls for properly planned.

*Ramita Dhar (2004) in his research "Status of Women in Assam from Mythological Period to Ahom period (1826): A Critical Study"*

The study reveals the position and contributions of women in the ancient and medieval Assamese society. This research project studied the various aspects and contributions of women in ancient and medieval Assam and their status is compared with the women of other parts of India.

The literature review has covered the wide range of vantage points for investigating women's human rights. A few studies have attempted to discuss the violation of human rights, which goes against the basic human rights laid down in the universal declaration of human rights. Extensive violation of women's human rights has become a subject of serious concern. The social condition is not favourable for the protection of women's human rights and that the protective laws make little meaning in the lives of majority of women. Many studies examined the various law relating to protection of women rights in international and national level. A wing of studies has tried to examine the impact of education and political participation for promoting women empowerment. But thorough study on women's rights is still needed. In this thesis applying sophisticated tool for analyzing the women's rights. In the coming chapter we come to the details of models, methodology and data source of our study.

*Aasen Sinding Henriette and Hellum Anne, (2013) in their book "Women's Human Rights and CEDAW in International, Regional and National law"*

The study discusses the Convention on the Elimination of all form Discrimination against Women in a legal landscape where states are under multiple international, regional, and national obligations to respect, defend and execute women's civil, political, socio-economic rights.

Sharma Achla (2014) in her article, "Status of Women: A Socio-Historical Analysis in Different Ages of Indian Society"

The author analyses the status of women in various periods of society. She talked about the women's position in various circles as, social, monetary, political, legitimate, education and religious terms. The examination uncovers the status of women through over the span of history. In this article, she brings up that women are not treated as similarly as men in India. There is no precluding from securing the way that, they are legitimately or intrinsically equivalent to the male partner. Be that as it may, there are social boundaries, which despite everything separate them. The author keeps contending that women in India are equivalent to men in the social, political and monetary for that women needs to have better education and freedom. This won't just create mental fortitude, engage women and won't engage any types of separation. Further, this will have the enduring effect on their status and socio-economic conditions in the years to come.

*Dr. Ishita Chatterjee(2017) Gender Justice and Jurisprudence.*

In this book the author discuss descriptively that, Women constitute nearly fifty percent of the country's population, they are helpless at times and therefore, need proper care, protection, nourishment so that they become useful member of the society. The future of a nation depends on the welfare and wellbeing of women and children. State is under obligation to provide basic human rights and protect from all form of exploitation. Therefore, at national and international level various enactments, conventions, recommendations, declarations and policies are formulated for protection and welfare of females. Even judiciary since long period of time has been playing a pivotal role for the protection of women, children offences against women.

*Weldon S. Laurel and Htun Mala (2018) in their book “The Logics of Gender Justice State Action on Women’s Rights around the World”*

The author had discussed mainly on policies regarding violence against women in the established democracies and emphasized the role of feminist movements. This book showed how the independent recruitment of feminist activists out of political parties and state agencies shaped the situation for women to eloquent, develop and promote violence against women as a priority policy issue.

### **Research Methodology:**

This study is an empirical and analytical in nature. Descriptive and analytical methods have been adopted to conduct the study at various stages. Both qualitative and quantitative methods have been followed in the research. Data have been collected from different social, religious, and economic background respondent. Therefore variation in behaviour of the respondent are noticed. The age group, education qualification, socio-economic statuses are also different.

### **Methods of data collection:**

The source of data collection can be divided in primary and secondary. For the present study data has been collected through primary and secondary sources. The primary data for the present study has been collected through the questionnaire and schedule. The field study was conducted through the methods of questionnaire cum interview schedule, discussion, dialogues and observations. The personal Interviews were conducted with the women of various fields to know about the status of women rights and problem faced by them. An attempt has been made to observe the various problem faced by women. Efforts also have been made to know about the educational, health, social, economic, and political status of women in Baksa district.

Tools of primary data: Questionnaire, schedule, personal interview, group discussion, and observation. Both open ended and close ended questions were asked to the respondent. The questionnaire, which was prepared for conducting the personal interview, was divided in to two parts. The first part deals with the personal family background of the respondents such as age, marital status, caste, occupation,

education, etc. the second part deal with the questions relating to status of women rights and challenges and problem faced by them. The questionnaire was made in English, Assamese, and Bodo language.

Interview: Personal interview was conducted with the respondents. Some of the respondents were illiterate or less educated, who were not prepared to speak openly and hesitant to give correct information.

Secondary data: The secondary data were collected from published and unpublished sources. The various published documents with regard to the women rights constitute the main sources of secondary data. It includes various books pertaining to women rights, articles, thesis, seminar, etc. The various articles related to the subject in different journals, magazines, and news paper were one of the important sources of secondary data.

#### **Sample size and data collection:**

The proposed topic basically uses purposive sampling technique, but some data were collected through convenience and voluntary response sampling method. A total 630 women participated in the study. For this study the selected area are Barama, Baganpara and Tamulpur revenue circle under the Mushalpur and Tamulpur subdivision of Baksa District of Assam. A total 210 women from each Revenue circle participated during the study.

Tools of data: There are many methods of analyzing the data. In the present study the processing of data and preparation of the tables and figures for analysis and interpretation has been done manually. The both percentage and number method was applied to analyze the data.

#### **Plan of the Thesis:**

The analysis of the present study has been divided into five chapters. They are as follows:

Chapter 1 “Introduction” is the introductory in nature whereby the main objectives of the present study have been laid down, the concept of human rights, the concept of women’s human rights of women, violation of rights of women, statement of the problem, need of the study, scope of the study, limitation of the study, objective of the study, literature review, methodology, and contribution of the study have been discussed.

Chapter 2 “Human Rights of Women: An overview” In the chapter Historical Aspect of Human rights , Feminism along with the theories of Feminism, various provisions contained in various international instruments relating to human rights of women have been discussed. Moreover the other international instruments which are women specific have also been dealt with in this chapter, important constitutional and legal provisions for women in India.

Chapter 3 “Status of women’s rights in the context of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)” analyses the provisions contained in the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) which provide safeguard to the women. And also try to examine the actual status of women’s human rights in the context of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) and analysis the Implementation of Convention on Elimination of Discrimination against Women (CEDAW) in India.

Chapter 4 “Rights of Women in Baksa district: Case studies and Findings” In this chapter, an in-depth field survey has been undertaken in the study area as well as some case studies are included in this chapter. Awareness of Human rights etc is taken into consideration in the measurement of Human rights status of women and also analysis the case studies and research findings.

Chapter 5 “Conclusion and Suggestions” gives a summary of the research work, gives some suggestions to improve the conditions of women and at the same time to remove any sort of gender based discrimination in the society.



**Future Perspectives:**

This study also gives some space for future research on the basis of areas such as present study has covered just two subdivisions of Baksa District. The Study is limited to 630 sample size; there would be scope for more than 630 cases. This study also gives some space for future research on the basis of violation of women rights in the country or from selected areas. Cases based on caste, class, can also be selected for further research in this area. Issues of gender discrimination, sexual harassment, marital rape, workplace issues can also be selected for future research.

**Contribution of the study:**

This study contributes to the understanding of the women rights mediating through the International Human Rights Laws and Conventions pertaining to women and also to the understanding of the human rights of women in Baksa District. This study contributes to broadening deepening and strengthening gender feminist perspectives of women's rights within the regional and global contexts of human rights.