

WOMEN AND HUMAN RIGHTS: A CASE STUDY OF VILLAGE DANEWALA (PUNJAB)

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ABSTRACT:

Women constitute about one half of the global population. She plays the role of a mother, sister and daughter. She gives birth to human being while facing many problems, hardships and difficulties. She is the biggest blessing of God to humanity. She is an embodiment of creation concern and well-being. But ironically women have been exploited by man which goes on happening. In the present study, data was collected by random sampling from 55 rural women from village Danewala in district Fazilka of Punjab. Self-constructed close ended and multiple-choice questionnaire was made by the investigator as a tool for collecting the data. Rural women were interviewed by the investigator to get their response to the questions in the questionnaire. Frequency, percentages and graphical representations were used as the statistical techniques for analysis of data collected. Data was analyzed and interpreted with the help of question-wise tabular representation. The study concludes that even if women know about their rights and policies and programmes, still they do not feel equal in the family and society and are afraid of their husbands. They are heard by the police but when the opposite party is politically strong, they feel repressed. Even they do not feel that 33% reservation is helpful in decision making.

KEYWORDS: Women, Human Rights, Provisions, Legislations.

INTRODUCTION

The issue of human rights is of prime importance. There are sound reasons to discuss human rights along with considering the other critical world issues. The status of human rights throughout the world is a yardstick for how well other critical issues are managed. The extent to which people enjoy human rights and fundamental freedom is related directly to the policies and actions of national governments which are the eyes of most of the world, exist to serve the needs of their constituents. Government rise or fall according to the way they meet vital human needs and enable their citizens to live with dignity. Economic system remains viable only as long as people believe they are well served. Religions remain relevant only as they respond to human concerns. Human rights and fundamental freedoms are the cornerstones of civilization, the alpha and omega of humanity's quest for better existence. Generally speaking human rights are those protections, which are socially given to every individual, for any oppression or exploitation.

In India women are enlisted to the realization of all human rights-civil, political, economic, social and cultural on equal terms with men free from discrimination. Such rights recognized for women after a long struggle have now been termed as inalienable part of universal human rights (Bhatt, 2010). Women in Indian society have been victims of ill-treatment, humiliation, torture and exploitation for long time at the hands of their male counterparts. Sexual violence against women is the most serious one. Women are victims of sexual violence at home, at work place, in markets and other places also (Ahuja, 1998).

The post-independence era has meant increasing awareness of the oppressed position of women, as well as action for change (Kassea, 2006). Women ambition was to live her own life in her own way: to study, to follow a career in the law and to do what she wanted to do. These are just basic fundamental rights and they were denied to her (Carter 2008). Feminists have also raised questions about some conceptualizations of cultural rights, especially those that imply group or collective rights, or certain multicultural policies (Okin 1999). All human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedom set forth without distinction of any kind including distinction based on sex. Women and girls face a multitude of constraints imposed by society not by law (Aggarwal, 2003). Most of the rights of women are engulfed by the self-styled leader i. e. man. This type of mentality of men gives him liberty to confine women in the four walls of his domain. 'She' is to be for the needle and "He' for the sword (field), this feeling of superiority in his status, made arrogant and careless towards women folk. She has always been suffering discrimination in silence and subject to all inequalities, indignities etc.

Nuclear families are carrying the patriarchal value structure without radical change. Indeed a girl child learns her first lessons in gender inequality within the family. She learns her primary role of care-taker as daughter wife and mother, or sex-wise division of work, within the family. Even in economically better off families where women need not to perform household work at least they are expected to supervise the same works performed by the servants (Gavigan, 1988). Family the smallest unit of the society and a woman has the pivotal role in the family, mother is considered as the first teacher in every men and women's life. Sense of duty, equality and responsibility starts from the mother's lap a 'women' then why they are being considered inferior, subjugated, oppressed, exploited and unequal.

In spite of the efforts made through development interventions, still good problems of women are being cropped up in the contemporary Indian society. Rural and semi-urban women are yet to liberate themselves from the barriers of psychological, social and economic discriminations. They are ill-treated in enormous ways, they are constantly mocked at, frequently subjugated. They are socially not free to take self-decision on their mate selection and age at marriage. They are more often assaulted for the sake of dowry, they are not given freedom to think of divorce, and remarriage. They are economically discriminated at work, and paid unequally, they are not given freedom to spend their earnings; they are still deprived of the right to inherit property. Women thus, generally have remained victims of exploitative male society.

HUMAN RIGHTS AND WOMEN RIGHTS

Internationally, women have traditionally assumed the role as the main family caretaker so that the psychological wellbeing of women will directly affect the family as well as the community and larger society (Chung, 2001). Inequality in the enjoyment of human rights by women throughout the world is often deeply embedded in tradition, history and culture, including religious attitudes. While respect for diversity and for diverse forms of social cultural expression and identity must guide all human rights principles, equally important is the recognition of the dignity and worth of women as full human beings. International human rights law has repeatedly stressed that women's human rights cannot be violated on the grounds of cultural or religious norms.

The international law has set some standards to achieve human rights in general and human rights of the women in specific. It has established human rights institution for the enforcement of human rights. United Nations charter in its preamble reaffirms faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small. According to Davidson (1993), "The concept of human rights is closely connected with the protection of individual from the exercise of state, government or authority in certain areas of their lives, it is also directed towards the creations of social conditions of the state in which individuals are to develop their fullest potential."

Human Rights mean, the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in international covenants and enforced by courts in India. The United Nations Development Program (UNDP) also has the Gender Development Index (GDI). It is an indication of the standard of living in a country, developed by the UN. It aims to show the inequalities between men and women: long and healthy life, knowledge and decent standard of living. Thus, the suffering continues despite a historical declaration by the International Community that Woman's rights are human rights. United Nation Charter has provided the commission of the Economic and Social Council. Further, the Universal Declaration of Human Rights, 1948 states that all human beings are born free and equal in dignity and rights.

Important Conventions and Declarations made by United Nations to elevate the status of women:

1. Convention on the Political Rights of Women, 1952.
2. Convention on Nationality of Married Women, 1957.
3. Declaration on the Elimination of Discrimination against Women, 1967.
4. Convention on Elimination of all forms of Discrimination against Women (CEDAW), 1979.
5. Declaration on Elimination of Violence rights of Women, 1967.
6. Vienna Declaration and Human rights of Women, 1993.
7. World's Conference on Women's Human rights.
8. Beijing Declaration, 1995.
9. United Nations Development Fund for Women's (UNIFEM) works on General Justice.
10. United Nations Educational, Scientific and Cultural Organization's (UNESCO)
11. Statement on Women's Contribution to the Culture of Peace.

The National Human Rights Commission is working for the protection of human rights of women especially in the matters of domestic violence, rape, custodial deaths, cruelty, sexual harassment and other forms of disgrace and undignified way of this male dominated society. There are various legislations that have been passed in India with a view to curb the imbalance in gender hierarchy and aid in women's empowerment. The Constitution of India too makes several provisions for respect and protection of human rights of woman, which are fundamental rights, covered by Part III of the Constitution.

THE MAIN PROVISIONS IN THE CONSTITUTION OF INDIA DEALING WITH RIGHTS OF WOMEN ARE:

Article 14: The state shall not deny to any person equality before the law or the equal protection of law within the territory of India.

Article 15 (1): The state shall not discriminate against any citizen on the grounds of religion, race, sex, caste and place of birth or any of them.

Article 15 (2): No citizen shall, on grounds of religion, race, caste, sex, place of birth or any of them be subjected to any disability, liability restriction or condition with regard to:

1. Access shops, public restaurants, hotels and places of public entertainment; or
2. The use of wells, tanks bathing ghats, roads and places of public of resort maintained wholly or partly out of State funds or dedicated to the use of general public.

Article 16(2): No citizen shall, on grounds of religion, race, caste, sex, descent, place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the state.

Article 16 (3): Enables the state to make provisions for women. This obviously intends to meet their special needs on account for their peculiar characteristics as women, such as the need for maternity leave before or after childbirth etc. the court while interpreting any law should keep in mind that women constitute a weaker section of the society and this is true of any society. This classification cuts across social, economic and

regional distinctions. However, the judicial predicament towards women has been quite wavering and this can be seen from some of the decisions of the courts.

THE RELEVANT PROVISIONS IN CHAPTER IV OF THE CONSTITUTION OF INDIA CONCERNING THE RIGHTS OF WOMEN

Article 39: The state shall in particular direct its policy towards securing.

1. That the citizens, men and women equally, have the right to and adequate means of livelihood;
2. That there is equal pay for equal work for both men and women;
3. That the health and strength of workers, men, women and the tender age not forced by economic necessity to enter vocation unsuited to their age or strength.

Article 42: The state shall make provision for securing just and human conditions of work and for maternity relief.

Article 44: The state shall endeavour to secure for the citizen a uniform civil code throughout the territory of India.

Article 51: That state shall endeavour to foster respect for international law and treaty obligation in the dealing of organized people with one another. Fundamental duty to respect women.

Article 51 (e) Provides that it shall be the duty of every citizen of India to promote harmony and the spirit of common brotherhood amongst all people of India transcending religious, linguistics and regional or sectional diversities: to renounce practices derogatory to the dignity of women.

The 73rd and 74th Constitutional Amendment Acts, 1993 constitute a watershed for the advancement of Indian women. They are ensured 1/3 of the total elected seats and position of chairpersons in rural and urban local elected bodies. About one million women are estimated to emerge as leaders at the grass root levels in these area root levels in these areas alone, of these 75000 are to be chairperson.

IMPORTANT NATIONAL LEGISLATIONS FOR PROTECTION OF WOMEN

- Protection under the Immoral traffic (Prevention) Act, 1956
- The Dowry Prohibition Act, 1956
- Medical Termination of Pregnancy Act, 1971
- The Indecent Representation of Women Act, 1987
- Commission of Sati (Prevention) Act, 1990
- National Commissions for Women Act, 1990
- Protection of Human Rights Act, 1993
- The Protection of Women from
- Domestic Violence Act, 2005

OBJECTIVES OF THE STUDY

1. To Study the awareness about women's rights in village Danewala (district Fazilka).

LITERATURE REVIEW

There is a basic need to improve human conduct and behavior so that women do not feel insecure and inferior (**Dewan, 2000**). Social structure, cultural norms and value system influence social expectations regarding the behaviour of both men and women (**Khanna, 2001**).

A family which is the most sacred institution sometimes becomes a centre of terror discrimination, deprivations for the married women. Many forms of domestic violence such as, wife battering, infanticide,

incest, *dowry* death and even forced prostitution have been faced by many women in society. Among them the most important are making woman self-reliant, sensitize the male section of society to condemn all acts of violence against women, inclusion of cultural and human values in the educational curricula to promote respect for women and development of various awareness programs relating to gender discrimination. By focusing on the issues of married women only the author has done enough justice to the title (**Monika, 2002**).

Borgohain (2002) has related the reproductive rights of women with the population growth of the country. Due to the high growth of population in the country, author has emphasised that the private reproductive rights of women have now become the public and national concern. Limiting the population growth is the main objective of the Indian government. The national policy mainly targets the women group because ultimately this group is responsible for the child birth. The reports of International Institute of Population Studies, 1994, have shown that an Indian woman has a 300 times higher risk of dying in pregnancy and child birth compared to a woman from a developed nation.

Dutta (2002) has shown the struggle of human rights and especially of women rights. The study concentrates more on the struggle of Northeastern women. The author has compared the status of women rights after the independence and current period. The author emphasised on three generations of human rights. In 18th century, first generation of human rights had focused on civil rights of individuals. During 19th century, second generation of human rights had focused on economic and political demands. In 20th century, third generation of human rights had focused on socio- cultural rights of people and nation.

Roy (2003) analysed the different dimensions of the rights of women like adolescent girls, the rights of girl child, political and reproductive rights of women. Sexual assault, prostitution, rape, child marriages and domestic violence are common problems that women have to face. These issues led to the violations of the fundamental human rights. Sexual exploitation of children is quite undesirable because they are victimised without their consent. It is the accountability of the government to protect the children from such undesirable crimes. Women in India are traditionally more restricted in domestic role. They are more confined to private issues, rather than accessing public related social, economic, and political rights (**Roy, 2003**).

Lack of decision making power in the women could push them to a marginalized position and might lead to greater adversity in their life (**Sundari, 2004**). Among the various issues of violation of women's rights domestic violence is one that is used as a tool to torture. It contains physical and psychological effects on women (**Rastogi, 2007**).

Gonsalves (2001) examined the existing women rights especially related to the violence against women. The author also emphasized on married women's right to property. Under Section 27 of the Hindu Marriage Act, 1955 the wife is only entitled to receive that property which was presented at or about the time of marriage. Domestic violence is of two types: physical and mental violence. From time to time, various amendments have been done in Indian constitution to safeguard the rights of women. Women harassment is also the serious problem that women have to face in the society. In 1983 Section 498A was included in the Indian Penal Code, 1860 to deal with the cruelty of husband and his relatives against women.

Sammiah & Mahavi (2005) focuses on the wage determination for the women working in unorganised sectors. 420 women construction workers have been taken as sample from Sivagangai district of Tamil Nadu. The reasons for working on very little wage rate are the poverty and illiteracy of these unorganised women that force them to do so. Being the construction workers, life is not easy for them. They have to face sexual harassment, injuries and diseases at the construction work place. Still they are lacking behind the men and remain unskilled even after working for lot of years.

Rastogi (2007) highlights women's human rights perspectives. He mentions the present and future directions of women's human rights. The study focuses on women's international human rights. Although human rights are as such mention in the constitutions, but in reality they are not strictly implemented. The study

puts light on the responsibility of the state to safeguard these laws. Domestic violence is common among all the women. International standards should be used to control domestic violence.

METHODOLOGY OF THE STUDY

Questionnaire and interview method was used to collect the data.

SAMPLE

By random sampling, data was collected from 55 rural women. Data was collected from village Danewala in district Fazilka of Punjab.

TOOL USED

Self-constructed close ended and multiple-choice questionnaire was made by the investigator as a tool for collecting the data. Rural women were interviewed by the investigator to get their response to the question in the questionnaire.

STATISTICAL TECHNIQUE

Frequency, percentages and graphical representations were used as the statistical techniques for analysis of data collected.

DATA ANALYSIS AND INTERPRETATION OF RESULTS

Data was analyzed and interpreted with the help of question-wise tabular representation given below:

Tabular representation of personal information

Table 1: Age

Question	Respond	Frequency	Percentage
Age	25-35	22	40%
	35-45	27	49.09%
	45-55	6	10.90%

Table 2: Marital status

Question	Respond	Frequency	Percentage
Marital Status	Married	55	100%
	Unmarried	0	0%

Table 3: Education

Question	Respond	Frequency	Percentage
Education	Up to 5	25	45.45%
	Up to 10	17	30.90%
	Up to 12	9	16.36%
	Graduation	4	7.27%

Table 4: Religion

Question	Respond	Frequency	Percentage
Religion	Sikh	28	50.90%
	Hindu	6	10.90%
	Christian	21	38.18%
	Muslim	0	0%

DATA ANALYSIS AND INTERPRETATION OF CLOSE-ENDED QUESTIONS

Table 1: Have you heard of women's human rights?

Options	Response	Response(%age)
-Yes	49	89.09%
-No	6	10.90%
Total	55	100%

Out of the 55 respondents, 49 said that they have heard the term 'Women human rights' and 6 said that they don't know about it.

Table 2: Whether you feel equal in your family and society?

Options	Response	Response(%age)
-Yes	3	5.45%
-No	52	94.54%
Total	55	100%

Majority of respondents said that they don't feel equal status in the family and society. They are not consulted while taking any decision in the family. Only 3 women said that they feel equal status in the family.

Table 3: Whether you are aware of policies and programmes for Women Empowerment?

Options	Response	Response(%age)
-Yes	38	69.09%
-No	17	30.90%
Total	55	100%

38 respondents out of 55 said that they are aware of some programs that have been started by the Indian government for the women empowerment and 17 were not aware of any such program.

Table 4: Whether you are heard by police, when go to police station about complaining your violation of rights?

Options	Response	Response(%age)
-Yes	54	98.18%
-No	1	1.81%
Total	55	100%

Majority of the women said that they are heard by the police whenever they approach them but majority of the time they don't get justice in the end because police is dominated by the rich and politically strong people.

Table 5: Whether 33% reservation in local-self Governance helps the women in decision-making?

Options	Response	Response(%age)
-Yes	14	25.45%
-No	41	74.54%
Total	55	100%

Majority of the respondent didn't agree that 33% reservation in local governance helps the women in decision making. They replied to the question that majority of the decision are taken by the husband of the elected woman.

Table 6: Being parents, do you consider girl child as a burden or tension?

Options	Response	Response(%age)
-Yes	41	74.54%
-No	14	25.45%
Total	55	100%

Majority of the women feels that girl child is burden or tension for the family. The main reasons behind this are family pressure, dowry, poverty and protection. Rest feel that they are not burden and even they helps them in their household work.

Table 7: In general, do you think that women are afraid of their husband?

Options	Response	Response(%age)
-Yes	39	70.90%
-No	16	29.09%
Total	55	100%

39 out of 55 women said that they are afraid of their husband while 16 said that they are not.

Table 8: Have you given the share of ancestral property to your daughter?

Options	Response	Response(%age)
-Yes	0	0%
-No	55	100%
Total	55	100%

None of the respondent women have given share of their husband's ancestral property to their daughters.

Table 9: Is marriage registration is must?

Options	Response	Response(%age)
-Yes	55	100%
-No	0	0%
Total	55	100%

All the women said that registration of marriage is important and must.

Table 10: Whether NGO's assists in awareness and implementation of Women Rights?

Options	Response	Response(%age)
-Yes	4	7.27%
-No	51	92.72%
Total	55	100%

Only 4 of the 55 women were aware of the NGO's. Rest doesn't even knew about NGO's.

Table 11: Whether you are satisfied with the efforts of the State Government for protecting women Rights?

Options	Response	Response(%age)
-Yes	13	23.63%

-No	42	76.36%
Total	55	100%

Only 23% of the respondent said that they are satisfied by the state government for protecting their women rights. As they said, state government has reserved 33% in the local governance and ladies police in the police station.

Table 12: Whether you are satisfied with the efforts of the Media in protecting and promoting Women Rights?

Options	Response	Response(%age)
-Yes	18	32.72%
-No	37	67.27%
Total	55	100%

Only 18 of the total women said that media helps in promoting the women rights. They even added that media only helps in promoting and making people aware of some women rights but not in protecting them.

Table 13: Would you like to born as girl next time?

Options	Response	Response(%age)
-Yes	9	16.36%
-No	46	83.63%
Total	55	100%

Only 16% of the girls said that they want to born as a girl next time and majority of women said that they don't want to born as a girl in next birth.

DATA ANALYSIS AND INTERPRETATION OF MULTIPLE CHOICE QUESTIONS

Table 1: Even if a girl is raped in our society, no matter how bold she is, she never go to a legal process. The reason is:

Options	Response	Response (%age)
a) There is no term as legal process in India	8	14.54%
b) She is so repressed for her future that she think keeping quiet will not expose her to the society	16	29.09%
c) She never ever will have courage to fight against the criminal herself	29	52.72%
d) All of the above	2	3.63%
Total	55	100%

Majority of the women said that a girl can't gather courage to fight against the criminal herself. Some of them said they girls remain quiet and doesn't expose themselves for the sake of their future. Few of them said that for them law is not strong enough that it give justice to every raped girl.

Table 2: In Indian society, discrimination against girl child still prevails the reason behind this is/are

Options	Response	Response (%age)
a) Dowry system	10	18.18%
b) Insufficient education	6	10.90%

c) Tradition of women being confined to household activities.	2	03.63%
d) They want their heir	37	67.27%
e) All of the above	0	0%
Total	55	100%

Out of 55, 37 women feel that people consider boy over girl because they want their heir. 10 women said that giving dowry to the boy's family while marriage is another major reason for discrimination of girl child.

Table 3: Status of women in society can be determined by their

Options	Response	Response (%)
a) Education	4	07.27%
b) Health	0	0%
c) Presence in the professions and management	6	10.90%
d) Decision making power within the family	3	05.45%
e) All of the above	42	76.36%
Total	55	100%

Majority of the women said that the status of the women in society is determined by her education, health presence in the any profession and decision making power in the family.

Table 4: To report about molestation the women should do

Options	Response	Response (%age)
a) Assess the situation first; if it was a casual pass then it may be ignored.	4	07.27%
b) Discuss it with family members and decide the course of action	36	65.45%
c) While reporting it to the police, demand anonymity	15	27.27%
d) If you can't approach the police then appoint local NGO's who can help you cope up with the incident and also get the accused punished	0	0%
e) All of the above	0	0%
Total	55	100%

Majority of the women responded that a girl should firstly discuss with the family members and decide for the further course of action. Some said that girl should complaint to the police is ask for anonymity. Even few said that if it is casual that one should ignore it.

Table 5: If people pass comments, eve tease when you are alone then what should you do

Options	Response	Response (%age)
a) Argue with him	0	0%
b) Get away from that place	3	05.45%
c) Get away from that place first then report the matter to the concerned authority	6	10.90%

d) Get away from the place and hide the matter	46	83.63%
e) Argue with him then get away from the place	0	0%
Total	55	100%

Majority of the women said that girl should get away from the palace and hide the matter. Only few of them said that the girl should report to the concerned authority for the matter.

Table 6: If a woman was molested as a child then she should not continue to live with trauma for the rest of her life. What one should do for this?

Options	Response	Response (%age)
a) One should have to increase her focus on her day to day activities	33	60.00%
b) One should not remind her of the incident again	19	34.54%
c) One should encourage the victim to seek emotional health from the professional counselor	3	05.45%
d) All of the above	0	0%
Total	55	100%

Majority of the women replied that the victim should indulge into her day to day life activities and should not remind her of that incident again in her life.

Table 7: What is the cause of female feticide?

Options	Response	Response (%age)
a) Low status of women	2	03.63%
b) Son is heir of family	41	74.54%
c) Poverty and spread of the practice of dowry	5	09.09%
d) Illiteracy	4	07.27%
e) All of the above	3	05.45%
Total	55	100%

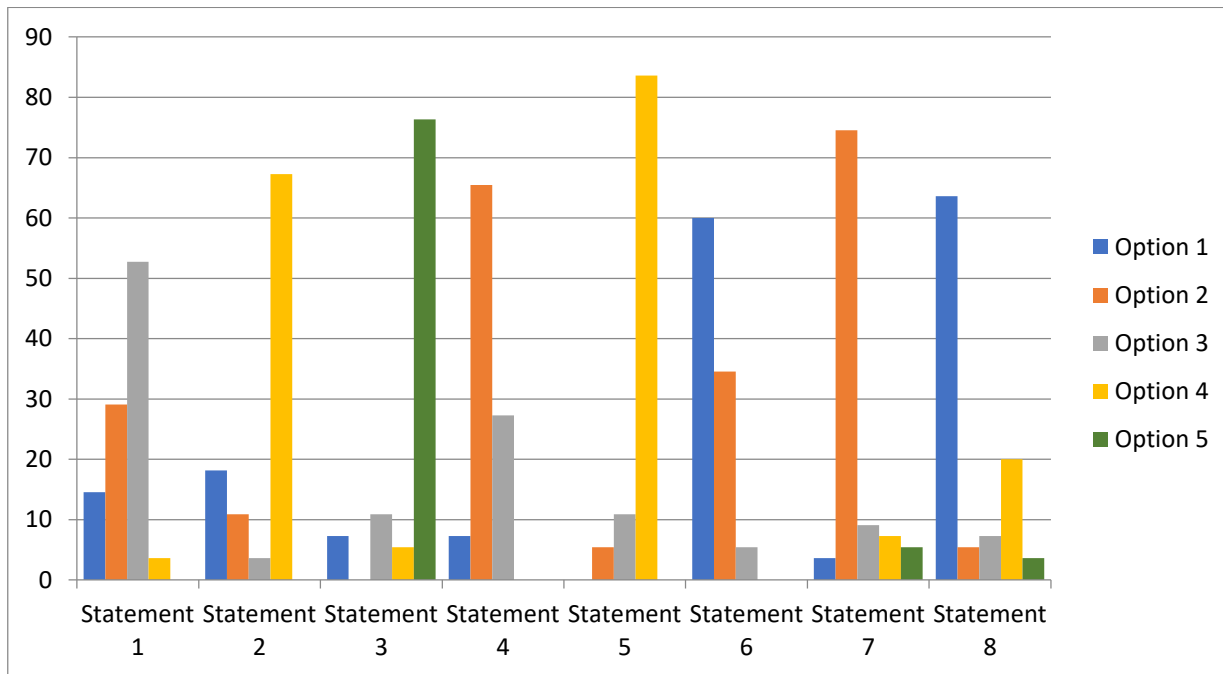
Majority of the women said preference for the boy, as he will be the heir of family, is the main reason of female feticide. Few also consider low status of women, dowry practices and illiteracy as the reason behind female feticide.

Table 8: What percent reservation is provided to women in Panchayati Raj Institution and in Municipalities?

Options	Response	Response (%age)
a) 33%	35	63.63%
b) 23%	3	05.45%
c) 32%	4	07.27%
d) 30%	11	20.0%
e) 31%	2	03.63%
Total	55	100%

35 out of 55 women were aware about the percentage reserved for the women in panchayati raj system.

Figure 1: Showing response percentage of Multiple Choice Questions



CONCLUSION

- Even if women know about their human rights and policies and programmes, still they do not feel equal in the family and society and are afraid of their husbands. They are heard by the police but when the opposite party is politically strong, they feel repressed. Even they do not feel that 33% reservation in PRI is helpful in decision making.
- Women of the village feel that there is no such term as “law”. They feel that one should discuss about molestation about her parents and should forget and indulge into their day to day activities for the sake of their future.
- Every family wants son because he is going to be the heir of their property and no girl has given rights to the ancestral property. Girls are considered as burden due to reasons such as dowry.
- There are many NGO’s, state government policies and programmes and efforts made by media by showing women oriented programmes, but according to the respondent they are either not working efficiently or are not enough to raise their status in society.
- Only 16% of the respondents want to born as a girl next time.
- Government and NGO’s should reach to the grass root level to raise the status of women in the society and family.

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