

Human Rights of Women and Challenges in Globalisation

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Abstract

In larger context human rights refer to those inalienable rights that a person is entitled to enjoy irrespective of his/her nationality, caste, creed, sex, colour, religion, income or any other socioeconomic divisive category. Human rights are those entitlements which an individual owns just because of his/her existence as a human being. The theoretical roots of human rights can be traced back to the history of ancient and medieval times in India as well as in the Western liberal and humanitarian philosophy. Both these roots have a considerable appeal of promoting human dignity. Human life is given a distinctive weight over other animals in most societies precisely because we are capable of cultivating the quality of our lives. Clearly both-human dignity and quality of life have negatively affected women's human rights especially with the coming of globalization to a large number of countries. In the name of Structural Adjustment policies, publicly-funded health services education and child care have contributed to maternal mortality, made education unavailable for poorer children, particularly girls. The paper aims to examine the challenges of women in globalization in regards to their human rights in larger interest of women community as a whole with focus on developing countries or India like to give them a life with equality and human dignity.

Key words: Women; Human rights; Developing countries; Globalisation and challenges; health services education

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1. THEORETICAL PROPOSITION

Today human rights are universally accepted as those conditions of social life which allow the full development of human personality. They refer to a wide continuum of values that are universal in character and in some sense equally claimed for all human beings. We claim for these rights all over the world simply by being human. The term 'human' is itself a vague since the life cycle of a human being ranges from conception to death and decay. Even before conception, sperm and eggs exist that contain human genetic material but decision is made easy on the issue because they are human cells and not human beings. In between the discussions and controversies various groups hold the view that there is some special quality of human life that provides a basis for possessing rights; when that quality is acquired, so are rights (Talwar, 2006). This approach is favoured by many since it allows for the distinction between humans and other animals. Human rights are rights particularly to human beings, thus the basis of the claim to rights should be something that differentiates humans from other animals.

The modern concept and interpretations human rights have its bases in ancient Indian times as well as in Western countries of early history when well-known human rights movements started with ancient religions and societies and showed the evolution of concepts and institutions of human rights across civilizations. In developing the basic notion of human right we cannot deny the role played by the influence of ancient Indian Dharma with its universalistic and humanistic approach.

In general ancient Indian society was peaceful within the moral codes of conduct of the society provided by religion which in due course of time hegemonised all sections of the society within its rule of the game (Kumar, 2008). Ancient thinkers like Manu and Kautilya all have tried to protect the rights and dignity of individuals from the whims and tyranny of the rulers. This was done primarily by imposing some moral restrictions upon the activities of the rulers and thereby providing some kind of shield to the rights of the individuals.

Addition and enhancement of human rights aspects continued in medieval and British period. In the medieval period the three basic elements of the ancient Indian tradition; universalism and humanism in its philosophical thought, the struggle against caste discrimination and religious tolerance received a fresh relevance and impetus from Islam. King Akbar's great regard for rights, justice and secularism could be cited as an example. Religious movements like Bhakti and Sufi made remarkable contributions towards eliminating the irreligious practices of the contemporary society. These movements tried to revive the ancient humanist tradition and preached the sacred principles of humanism and universalism. With the coming of Britishers, English was introduced in education and some Indian leaders including Raja Ram Mohan Roy, being influenced, started a movement for Renaissance and Reformation. They demanded the abolition of Sati system, female infanticide, caste system and also initiated a movement for widow remarriage and female education. It resulted in the enactment of several humanitarian legislations in subsequent years.

2. WESTERN VIEWPOINTS

Likewise the Western philosophical tradition manifests, from the ancient times, the stories of an inevitable conflict between the concept of individual rights and state authority. In the writings of great Greek individual's right to resistance against sponsored terror was highly glorified. In the later periods the theme of humanity was carried out in the classical philosophy of Plato and Aristotle who attempted to protect the citizens and non-citizens under a scheme of justice. Another Roman thinker Cicero first gave a philosophical foundation to the concept of rights and its association with the idea of natural law. The concept of natural right as a precondition for human development had received further staunch support in the works of Hobbes, Locke and Rousseau, who believed that the state as an institution is the most effective instrument for protecting the rights of the individual against the oppression of the rulers (Ghosal, 2010). The concept of human rights found its further elaboration and promotion in the writings of Immanuel Kant (1724-1804), Thomas Paine (1737-1809), Jeremy Bentham (1748-1832) and Karl Mark (1818-1883), the revolutionary thinkers of the 20th century.

However, in the evolution of modern human rights the ideas of liberal humanism and universalism played a significant role. For instance John Rawls (1921-2002), who although did not assign the label of universalism to the concept of human rights, but attached a special status to it. These rights do not depend on any particular comprehensive moral doctrine or philosophical conception of human nature...but basic human rights express a minimum standard of well-ordered political institutions for all peoples who belong, as members of good standing, to just political society of peoples (Rawls, 2002). He also made the human rights distinct from the constitutional rights, or the rights of democratic citizenship, or from other kinds of rights that belong to certain kinds of political institutions, both individual and associations. Jurgen Habermas, another important contributor, called it a part of the post-modern agenda and believed that human rights and the principle of popular sovereignty constitute the sole idea that can justify modern laws (Habermas, 2002). In today's society, human rights have become the necessary condition of a regime's legitimacy and of the decency of its legal order.

3. HUMAN RIGHTS IN GLOBALISATION

In the phase of globalisation, privatisation and liberalisation, the concept of human rights has been defined and analysed by Amartya Sen, the philosopher-economist and Tony Evans, the noted theorist of international politics. Dr. Sen has viewed rights usually in terms of political power and according to him the invoking of human rights tends to come mostly from those who are concerned with changing the world, rather than interpreting it. In the final analysis he concludes that human rights may or may not be reflected in a legal framework through specific human rights legislation, but there are also other ways of implementing human rights that includes, public recognition, agitation and monitoring (Sen, 2004). While Tony Evans linked the concept of human rights and its universalisation aspect with the issue of power and hegemony (Evans, 1998). For him, it is an instrument for empowering people in their fight against persecution and injustice. Evan's understanding of hegemony provides a new insight into the post-war politics of rights, particularly in the context of the emerging role of US as the leader of human rights.

The theoretical discussions held so far on the human rights, predominantly reflect that it is not citizens rights, but often a thinking about an abstract universal community and imposing political structures, conceptions of individual and peculiar relationships between individual and community that are not generally shared (Freedon, 1998). In the present there are three categorisation of right based on three major generations of the concept. The first generation of rights refers to the traditional or classical notion of rights denoting different political and civil

rights. The second generation of rights mainly includes different types of socioeconomic rights, while the third generation of rights emerges in course of the worldwide anti-imperial movement in different parts of the world and includes cultural rights, environmental rights, right to development, minority rights, etc. All these rights are essential not only because of our existence, as human being but these are needed also to make each one of us an ideal human being.

4. STATUS OF WOMEN IN MODERN INDIA

The development of a society is measured not only in terms of its material resources, economic growth and wealth creation but also in terms of the opportunities and capabilities of its people to explore the material resources and to contribute equally in the growth of their society. Such a process becomes unjust and discriminatory if most women are excluded from its benefits (*Human Development Report*, 2004). Respect for women is a necessary trait of a rising nation. It equally applies to the women in ancient India when they were not a meek, shy and weak creature but were bold, free and strong. In the pre-Aryan period, an average Indian women continued to lead a happy and contented life. In later years Aryans changed from a pastoral people to agriculturists and they became conscious of preserving the purity of their race which made them a victim of growing social evils (Singh, 2011). The position of women in Indian society deteriorated further by the laws of Manu but improved a little as a result of the advent of Islam because it granted much stronger legal position. Europeans in general and Christians Missionaries in particular ushered India in an entirely new phase of women emancipation and gave birth to a powerful reforming movement.

The position of Indian women also deteriorated beyond imagination due to inequality inherent in gender. Gender is a basic organising principle of society that shapes how people have to think about ourselves. While gender concerns differ, it also involves hierarchy, because it affects the opportunities and constraints we face throughout our lives (Ferrie, 1996). Females and males do differ biologically of course, but the physical activities of men and women are alike than we may think. In the social structure we can notice that men dominate in most of the categories of job and distribution of wealth. In any field, the greater the income and prestige associated with a job, more likely it is held by a man. But researches held so far show no overall differences in intelligence between male and females as Mahatma Gandhi once declared, 'Woman is the champion of man, gifted with equal mental capacities. She has a right to participate in every minute detail of the activities of man and she has an equal right of freedom and liberty as him. She is entitled

to a supreme place in her own sphere of activity as man is in his (Narayan, 2005). There has been a dramatic change regarding the status of women in society and the earlier position has been totally transformed in the twentieth century where the female sex is in no way inferior to man.

The Constitution of independent India laid equal emphasis on human development and development of women, in particular. Generally there are three approaches used to measure the well being of the people as far as human development is concerned. The first one is, physical quality of life index which contains three indicators – adult literacy rate, infant mortality and life expectancy. The second approach is basic needs approach which argues that the basic need of adequate nutrition, primary education, health, sanitation, water supply and housing available to the poorest to a reasonable extent. The third approach is human development index-most widely used index (Muthalagu, 2006). With a view to enshrine gender equality several provisions of the constitution of India guaranteed equality before law and equal protection of law through Article 14. Articles 23, 42, 51A, 29 and 30 establish provision for the development of women. On the other the Government of India has made concerted efforts towards removing various gender biases to ensure that women enjoy equal status with men in the real sense. The major enactments passed by the Government in this respect are Dowry Prohibition Act (1961), Medical Termination of Pregnancy Act (1971), Child Marriage Restraint Act (1976), Equal Remuneration Act (1976), and the 73rd and 74th amendments of the Constitution passed in 1992 and ratified in 1993 (Kumar, 2006). The enactment which provided for 33 per cent reservation for women in local self-governing bodies is an important achievement in empowering women.

Thus in the post-Independence period, the Indian women were given equal status with men by the Indian Constitution and various provisions have been made to protect the interests of the female population. Right from the days of First Five Year Plan (1951-56), adequate services were included to promote the welfare schemes of women so that they can play their legitimate role in the family and the community. The Second, Third, Fourth and Fifth plans continued the same approach for the welfare of women. In 1976 a Women's Welfare and Development Bureau was set up under the Ministry of Social Welfare to initiate necessary policies, programs and measures for women. Indian Development Planning has always aimed at improving inequalities in the process of development recognizing the fact that women lag behind due to several socio-economic-cultural-political impediments. But the Sixth Plan (1980-85), for the first time, recognized women as participants of development and not merely an object of welfare. In 1982 a Women's Employment Programme was introduced with assistance from Norwegian Development Agency (NORDA). In this plan period two new schemes-Support to Training and Employment (STEP) and

Awareness Generation Programme for rural and poor women (AGP) were introduced (Tomar, 2006). In early 1992 (31 January) the National Commission for Women was constituted which works as a friend, a counsellor and educator for the Indian women who are now considered as agents for change in the era of globalization liberalization and privatization.

5. TRENDS IN GLOBALISATION

Trends of globalization reflected in India and abroad in the early years of 1990s which is defined as a process of 'stretching, deepening and speeding up of global interconnectedness, i.e., the multiplicity of networks, flows, transactions and relations which transcend the states and societies which constitute the contemporary global system (McGrew, 1998). In the present pattern of globalization, politics of rights is no longer a prerogative of the state authorities, diplomats and theorists. It involves plurality of agencies; governmental, non-governmental and inter-governmental together. In the new world order dominated by the neo-liberals following the collapse of socialism and the emergence of cyber age not only the idea of human rights but the position of women worldwide faces certain paradoxes with positive and negative effects in sphere of women's development at large. Earlier, the United Nations Decade for Women (1976-85) was a global effort to examine the status and rights of women and to bring women into decision-making at all levels.

As a result the Government of India in the early nineties decided to bring a policy about the advancement, development and empowerment of women. Recognizing the role and contribution of women in development, the Eighth Plan (1990-95) adopted the strategy to ensure that benefits of development from different sectors do not bypass women and special programmes are implemented to complement the general development plans. In continuation the Ninth Plan (1997-2002) made two significant changes in conceptual strategy for women. First 'Empowerment of Women became one of the nine primary objectives of the plan and secondly, it attempted the convergence of existing services, resource, infrastructure and man power available both in women-specific and women-related sectors. Likewise, the Tenth Five Year Plan (2002-2007) constituted three working groups: (i) Working Group on Empowerment of Women, (ii) Working Group on Child Development and (iii) Working Group of Improving Nutritional Status of Population with Special Focus on Vulnerable Groups. Thus, the Five Year Plans have been paying special attention to women's welfare emphasizing female education, access to resources and their political empowerment.

However, working of globalization has not only widened the gap between the developing and developed countries but has also increased the difficulty of poor/

developing nations and they are unable to cope with the challenges of this new trend. It has generated social crises arising from the increasing fear of marginalization of some sections of society caused by the indiscriminate spread of capitalism and the free economy. Despair caused by social marginalization, economic deprivation, and political defeat is another consequence of this modern phenomenon (Ahmed, 2004). As a positive effect globalization has enabled additional and various opportunities for women because employers within global, export-oriented sectors employ women and thus provide women opportunities to acquire new skills and knowledge. But on the other hand, due to gender discriminatory forces within the labour market and women's care responsibilities, women tend to earn lower wages and work fewer days than men (Reddy, 2007).

Today Indian women are emerging as equal partners of men in all fields of human endeavour. But the feminist revolution is far from being won, and the exploitation of women continues in many ways. In the situation, women themselves should be seen as agents to transform the existing power relations in society. External agents can only help them with material support and information but they can not bestow empowerment on them. Empowerment should lead to a situation where each one can become a whole being regardless of gender, and use their fullest potential to construct a more humane society for all.

CONCLUSION

The present status of women in society is a challenge for human rights. Women form nearly half of the human capital in the country but in terms of gender equality and gender equity, they remain the most deprived and long neglected segment of society, despite the constitutional guarantee for equal rights and privileges for men and women. In modern times all are given liberties and rights, freedom of expression as well as right to get education. Despite this women are fighting for crisis such as dowry, female infanticide, sex selective abortion, health, poverty, education, sexual harassment, domestic violence, etc.

In this era of Globalization the growing attention is considered as a strategy for survival, competition and growth. As a result of this a new economic environment has been created wherein only self-reliant and self-regulated economic enterprises, including women enterprises will survive. In the situation in many developing countries structural adjustment programmes have been poorly designed and implemented and they are unable to meet negative effects of globalization. Empowerment of women is the theme of the time and the general trend is towards improvement, however the achievements have still fallen short of expectations, particularly in developing countries like India.

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