
WOMEN EMPOWERMENT, AN ENSHRINED CONSTITUTIONAL FUNDAMENTAL RIGHT

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Abstract: The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the state to adopt measures of positive discrimination in favour of women. Empowerment of women means developing the mass more aware individuals, who are politically active, economically productive and independent and are able to make intelligent discussion in matters that affect them. Article concludes with the note that due recognition must be given to women and society should come forward to ensure equal status for women in all spheres of life.

Introduction: ‘EMPOWERMENT’ may be described as a process which helps people to assert their control over the factors which affect their lives. Women empowerment in simple words can be understood as giving power to women to decide for their own lives or inculcating such abilities in them so that they could be able to find their rightful place in the society. Women empowerment as a concept was introduced at the International women Conference in 1985 at Nairobi, which defined it as redistribution of social power and control of resources in favour of women. Need for empowerment arose due to centuries of domination and discrimination done by men over women. They are the target of varied types of violence and discriminatory practices done by men all over the world. India is no different.

The parameters of women empowerment are:

- Raising self-esteem and self-confidence of women.
- Elimination of discrimination and all forms of violence against women and girl child.
- Building and strengthening partnership with civil society particularly women’s organisations.
- Enforcement of constitutional and legal provisions and safeguarding rights of women.
- Building a positive image of women in the society and recognizing their contributions in social, economic and political sphere.
- Developing ability among women to think critically
- Fostering decision-making and collective action.
- Enabling women to make informed choices.
- Ensuring women’s participation in all walks of life.
- Providing information, knowledge, skills for self-employment.

Objectives of Women Empowerment:

- To identify gaps in the empowerment of women, development of children and adolescents;
- Create a national network of public, private and NGO centers for delivering reproductive and child health services free to any client;
- To create an enabling environment through convergence with other programmes;
- To open more child care centers for working women and expand the availability of safe abortion care;
- To use energy saving devices to reduce drudgery of women;
- To identify the ways in which the effects of policies and programmatic interventions to promote women’s empowerment have been measured;
- To improve access to sanitation, drinking water, fuel, wood and fodder for women;
- To develop health management and health package at all levels;
- To improve accessibility and quality of maternal and child health care services;

- To identify the evidence on how women's empowerment affects important development outcomes such as health, education, fertility behaviour, income levels, etc.
- Supporting community activities package for women;
- To improve and increase clinical and contraception delivery services;
- To organise educational and empowerment programmes for girls and women;
- To train resource persons, animators and trainers for activities visualised;
- To conduct and promote experimentations and innovations and research in the problems and programmes of empowerment of rural women;
- To increase awareness in women, for their development to use their talent optimally not only for themselves, but also for the society as a whole;
- To develop the skills for self-decision- taking capabilities in women and to allow them to present their point of view effectively in society;
- To create awareness among women to be truly ambitious and to dream for betterment;

Constitution of India and Women Empowerment:

Fundamental Rights: The policy of women empowerment is well entrenched in the Fundamental Rights enshrined in our Constitution. For instance:

Article 14 ensures to women the right to equality.

Article 15(1) specifically prohibits discrimination on the basis of sex.

Article 15(3) empowers the State to take affirmative actions in favour of women.

Article 16 provides for equality of opportunity for all citizens in matters relating to employment or appointment to any office.

These rights being fundamental rights are justiciable in court and the Government is obliged to follow the same.

Directive Principles of State Policy: Directive principles of State Policy also contains important provisions regarding women empowerment and it is the duty of the government to apply these principles while making laws or formulating any policy. Though these are not justiciable in the Court but these are essential for governance nonetheless. Some of them are:

Article 39 (a) provides that the State to direct its policy towards securing for men and women equally the right to an adequate means of livelihood.

Article 39 (d) mandates equal pay for equal work for both men and women.

Article 42 provides that the State to make provision for securing just and humane conditions of work and for maternity relief.

Fundamental Duties: Fundamental duties are enshrined in Part IV-A of the Constitution and are positive duties for the people of India to follow. It also contains a duty related to women's rights:

Article 51 (A) (e) expects from the citizen of the country to promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of women.

Other Constitutional Provisions: Through 73rd and 74th Constitutional Amendment of 1993, a very important political right has been given to women which is a landmark in the direction of women empowerment in India. With this amendment women were given 33.33 percent reservation in seats at different levels of elections in local governance i.e. at Panchayat, Block and Municipality elections.

Thus it can be seen that these Constitutional provisions are very empowering for women and the State is duty bound to apply these principles in taking policy decisions as well as in enacting laws.

The Constitution of India is one of the finest equality documents in the world. It provides provisions to secure equality in general and gender equality in particular. Various articles in the Constitution safeguard women's rights by putting them at par with men socially, politically and economically.

Specific Laws for Women Empowerment in India: Here is the list of some specific laws which were enacted by the Parliament in order to fulfil Constitutional obligation of women empowerment:

The Equal Remuneration Act, 1976.

The Dowry Prohibition Act, 1961.

The Immoral Traffic (Prevention) Act, 1956.

The Maternity Benefit Act, 1961.

The Medical termination of Pregnancy Act, 1971.

The Commission of Sati (Prevention) Act, 1987.

The Prohibition of Child Marriage Act, 2006.

The Pre-Conception & Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994.

The Sexual Harassment of Women at Work Place (Prevention, Protection and) Act, 2013.

Above mentioned and several other laws are there which not only provide specific legal rights to women but also gives them a sense of security and empowerment.

International Commitments of India as to Women Empowerment: India is a part to various International conventions and treaties which are committed to secure equal rights of women.

One of the most important among them is the Convention on Elimination of All Forms of Discrimination against Women (CEDAW), ratified by India in 1993.

Other important International instruments for women empowerment are: The Mexico Plan of Action (1975), the Nairobi Forward Looking Strategies (1985), the Beijing Declaration as well as the Platform for Action (1995) and the Outcome Document adopted by the UNGA Session on Gender Equality and Development & Peace for the 21st century, titled "Further actions and initiatives to implement the Beijing Declaration and the Platform for Action". All these have been whole-heartedly endorsed by India for appropriate follow up.

These various national and International commitments, laws and policies notwithstanding women's situation on the ground have still not improved satisfactorily. Varied problems related to women are still subsisting; female infanticide is growing, dowry is still prevalent, domestic violence against women is practiced; sexual harassment at workplace and other heinous sex crimes against women are on the rise.

Conclusions and Suggestions: Thus road map for women empowerment is there but still we have miles to go on this path of empowerment. We hope that in coming years ahead women empowerment will prove its worth. Women are an integral part of a society. They play an important role in determining the destiny of a nation. It has been rightly said by Swami Vivekanand, "The Best thermometer to the progress of nation is its treatment of women". Therefore, due recognition to them in the society and their greater involvement in socio-economic and political affairs becomes all the more important. Every person should come forward to ensure equal status for women in all spheres of life. To sum up, women empowerment cannot be possible unless women come with and help to self-empower themselves. There is a need to formulate reducing feminized poverty, promoting education of women, and prevention and elimination of violence against women.

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