



A comparative study on the level of awareness about constitutional and legal rights among working and Non-working women of Kokrajhar town

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ABSTRACT:- The status of women in society can be taken as yardstick for measuring the level of growth and development of a society. In the story of developmental process, women empowerment occupies topmost priority. Women empowerment and human development go hand in hand. The women folk are considered as valuable human resource which constitutes almost 50% of the world population. In most of the developing countries various strategies have been made for empowerment of women. In India also various constitutional and legal provisions have been guaranteed for enhancing the status of women. Efforts have been provided through various suitable policies and social welfare programmes for women. Despite these plans and programmes, Indian society fails to achieve the goals of equality, social justice and protection of women. Gender discrimination, maternal mortality rate, crime against women, child labour etc. have become major challenges facing by the Indian Society at present. Therefore, it is necessary to make women folk aware of their rights and empower them to raise their voices against any kind of exploitation at anywhere. This study attempts to throw light on the awareness level of women regarding their constitutional and legal rights. In other words, it may be considered as a measuring tool of women's empowerment through the level of awareness. Any plan and programme meant for empowering women proceeds from knowledge and awareness which ultimately results into capacity building and skill development. Awareness building about women's situation, discrimination, rights and opportunities may be considered essential towards gender equality which is the dire need of today for empowering women.

Keywords:- Awareness, constitutional and legal rights, empowerment, women

I. INTRODUCTION

Jawaharlal Nehru once said "you can tell the condition of a nation by looking at the status of its women". The socioeconomic status of women in society can be taken as the yardstick for measuring the level of progress and development of a nation. The empowerment, equality and autonomy of women are globally recognised as a key factor for all round growth and development of a society. In the story of a developmental process; women's empowerment occupies topmost priority. Women's empowerment and human development go hand in hand. Dr. A. P. J. Kalam opined that empowerment of women is essential as their value systems lead to the development of a good family, good society and ultimately a good nation. Therefore various women empowerment programmes have been launched for the purpose of nation building activity. The women folk is considered as valuable human resource which constitutes almost 50% of the world population. In most of the developing countries various strategies have been made for empowering women which includes social empowerment, economic empowerment, political empowerment and more particularly gender equality in order to eliminate all types of discrimination against women. Women empowerment has become a challenge of 21st century. In India also various constitutional and legal provisions have been guaranteed for enhancing the status of women. Efforts have been provided through various suitable economic policies and social welfare programmes for women. Despite of these efforts, Indian society fails to achieve the goals of equality, social justice and protection of women. Gender discrimination, high infant mortality rate and maternal mortality rate, crime against women, child labours etc. have become major challenges facing by the Indian society at present. Therefore, it is necessary to make women aware of their rights and empower them to raise their voices against any kind of exploitation at anywhere. It is assumed that awareness building about women's right and

opportunities will lead to eradicate violence against women necessary for their empowerment. This may be taken as a step towards gender equality. In this study, an attempt is made to throw light on the awareness level of women regarding their constitutional and legal rights. In other words it may be considered as a measuring tool of women's empowerment through the level of awareness. The world conference of women at Beijing in 1995 proposed various qualitative and quantitative indicators for evaluating the women's empowerment. Amongst these, increase in articulation, knowledge and awareness levels on issues affecting the community at large and women in particular such as women's health, nutrition, reproductive rights, legal rights, literacy etc. have been considered as essential indicators. Any plan and programmes meant for empowering women proceed from knowledge and awareness which ultimately results into capacity building and skill development necessary to strengthen the women folk at large. Awareness building about women's situation, discrimination, rights and opportunities may be considered essential towards eradication of violence against women which is the dire need of today to bring gender equality in our society.

II. REVIEW OF LITERATURE

Professor Ram Ahuja conducted a study a few years ago in eight villages of a district in Rajasthan among 753 women. His intention was to assess the degree of awareness and measure the level of satisfaction among women about the rights sanctioned by Constitution of India. He concluded that the level of awareness of rights by women depends upon four aspects like individual background, social environment, economic base and subjective perception of women. In Prof. Ahuja's study more than 75% of women were unaware of their rights; 20% of them did not have any awareness of their political rights; less than 1/3rd of women had the chance of inheriting their husband's property and only 0.5% of them got a share of the father's property.

A Sundaram (2011) conducted a study on Socio-economic empowerment of women in Mizoram. In this study he tried to highlight the current status of women in Mizoram and the factors which act as obstacle in acquiring equal status with men. He concluded that effective implementation and utilization of women empowerment programme will safeguard the interests of women.

A paper entitled "The Challenge of Empowering Women in India: The Current Dynamics" presented by Anupam Hazra, observed that in spite of various initiatives insisting on women's right, women in India are still much more likely to be poor, malnourished and illiterate and have less access than their counterparts to medical care, property ownership, credit, training and employment. Women are far less likely than men to be politically active and are vulnerable to domestic violence. His paper reiterates that role and participation of women must be given high priority both because women have a fundamental right to enjoy equality with men in all aspects of life as well as their capacity in playing a crucial role in the sustainable development process.

Swati Mutalik (1991) in "Education and social awareness among women" attempts to explore the nature of influence of formal education on social awareness. It is found in her study that education had significant correlation with the acquisition of social awareness. Highly educated women belonging to high economic status had higher level of social awareness but readiness for action was absent in them. Therefore it is necessary to motivate these women for action.

K Kantamma (1990) in status of women in relation to education employment and marriage found that higher the education of women, the greater was their participation in decision making, inter-spouse communication and a progressive opinion on different issues.

Kunja Kusum Kakati (1990) studied socio-economic status of educated working women of Kamrup district and found that despite of legal and constitutional provisions women folk remain economically dependent, educationally backward and socially discriminated against. Her study revealed wide gaps between the rights and privileges of women that she is given in theory by the constitution as a worker and rights she has in reality. It is found that in matters of decision making power working women were significant than the non-working women.

III. OBJECTIVES

The following objectives are formulated for the present study-

1. To find out the awareness level of women about their constitutional and legal rights.
2. To highlight the importance of awareness for capacity building and skill development necessary for their empowerment.
3. To understand the correlation between education and awareness building.

IV. METHODOLOGY

A sample consisting of 150 working and non-working women belonging to schedule caste, schedule tribe, OBC and general castes in the age group of 30-55 years residing in Kokrajhar town has been selected. Simple random sampling method was applied for that. The sample was divided into two groups of 75 each belonging to working and non- working women. Again these groups were divided into three groups of 25 each

belonging to highly educated women of high economic status, educated women belonging to middle class and less educated women belonging to lower economic status. An attempt is made to collect data from primary source as well as secondary sources. In order to collect primary data, observation, questionnaire and interview schedules were used.

V. DISCUSSION

Till now various strategies have been made for upliftment of women folk. Indian constitution provides legal equality for men and women but in reality social and economic equality is yet to be achieved. Women in India still continue to be discriminated and their current status still causes concern. Even today majority of our women are being identified not as independent individuals but only as daughters, wives and mothers or as family members. In our society women are still regarded as belonging to the “weaker section”. Therefore it is necessary to empower women so that they can participate fully in the development process and transform them into resourceful members of our society. Since independence, a great variety of researches have been undertaken on various issues related to women. In order to find out the path towards women empowerment such kind of studies may be considered essential.

The present study is conducted to know whether the women folk of our society is aware of their constitutional and legal rights. Again it is necessary to know whether they realise the significance of empowerment for their benefit. Even after 64 years from the commencement of Indian constitution the plight of women is still very pitiable. As a democratic country India gives priority on the principles of liberty, fraternity, equality and justice. Indian constitution provides various rights necessary for securing women’s empowerment. In this regard some constitutional and legal provisions for women may be mentioned below:

- Article 14- Equal rights and opportunities for men and women in political, economic and social spheres.
- Article 15(1) - Prohibits discrimination against any citizen on the grounds of religion, race, caste, sex etc.
- Article 15(3) – Empowers the state to make affirmative discrimination in favour of women
- Article 16 – Provides equality of opportunity for all citizen in matters relating to employment or appointment to any office under the state
- Article 39 (a) – The state shall direct its policy towards securing all citizens men and women equally the right to means of livelihood
- Article 39 (d) – Equal pay for equal work for both men and women
- Article 42 – Directs the state to ensure provisions for just and humane condition of work and maternity relief.
- Article 46 – The state to promote with special care the educational and economic interests of the weaker sections of the people and to protect them from social injustice and all forms of exploitation
- Article 47 – The state to raise the level of nutrition and the standard of living of its people and the improvement of public health
- Article 51 (A) (e) – Mandates every citizen to renounce practices derogatory to the dignity of women
- Article 243D (3) – Not less than one third (including the number of seats reserved for women belonging to the schedule castes and the schedule tribes) of the total number of seats to be filled by direct election in every Panchayat to be reserved for women and such seats to be allotted by rotation to different constituencies in a Panchayat
- Article 243D (4) – Not less than one third of the total number of offices of Chairpersons in the Panchayats at each level to be reserved for women.

At the same time Government of India has also been provided legal rights for women in order to achieve gender equality. Among the major legislations- the Hindu Succession Act was enacted to give daughters equal rights as sons in ancestral property. In order to stop human trafficking, the Immoral Traffic Prevention act has been launched to take stringent action against the traffickers. Various laws and legislations have been implemented for women including Sati Prevention Act, Dowry Prohibition Act, and the Protection of Women from Domestic Violence Act in the year 2005. To ensure equal rights to counter social discrimination and various forms of violence, atrocities and to provide support services especially for women, following legal provisions have been made:

- The Employees State Insurance Act 1948
- The Plantation Labour Act 1951
- The Family Course Act 1954
- The Special Marriage Act 1954
- The Hindu Marriage Act 1955
- The Maternity Benefit Act
- The Medical Termination of Pregnancy Act 1971
- The Contract Labour (Regulation and Abolition) Act 1976

- The Equal Remuneration Act 1976
 - The Criminal Law (Amendment) Act 1983
 - The Factories (Amendment) Act 1986
 - Indecent Representation of Women (Prohibition) Act 1986
- Apart from these measures, various initiatives have been launched in India from time to time. The Ministry of Women and Child Development has set up support system like working women hostels and crèches to help working women. To provide shelter and care services Swadhar and short stay homes have been set up for women. For economic empowerment Rashtriya Mahila Kosh (RMK) was established in 1993 to ensure micro credit facilities. Some other initiatives are:
- National Commission for Women : In January 1992 the Government set up this statutory body with a specific mandate to study and monitor all matters relating to the constitutional and legal safeguards provided for women, review the existing legislation to suggest amendments wherever necessary etc.
 - Reservation for Women in Local Self-Government: The 73rd constitution amendments Acts passed in 1992 by Parliament ensure one third of the total seats for women in all elected offices in local bodies whether in rural areas and urban areas.
 - The National Plan of Action for Girl Child (1991-2000): The Policy of Action is to ensure survival, protection and development of the girl child with the ultimate objective of building up a better future for the girl child.
 - National Policy for Empowerment of Women 2001: The Department of Women and Child Development in the Ministry of Human Resource Development has prepared a National Policy for Empowerment of women in the year 2001. The goal of this policy is to bring about the advancement, development and empowerment of women.

The present study deals with the awareness level of women concerning their constitutional and legal rights. Attempt has made to collect data using questionnaire and interview schedules. It is evident in this study that knowledge and awareness of women is highly correlated to their level of education and nature of occupation. Highly educated working women were found to have more awareness and understanding of the condition, sense of self-worth than the non-working women with low level of education. This study also revealed positive correlation between education and active participation of women in decision making in the family. The nature of occupation is also found to be positively related with this matter. Educated women are found to be more conscious about their rights and opportunities whereas less educated women do not have any awareness. They fail to realise the significance of empowerment and do not want to move upwards. They remain economically dependent, educationally backward and socially discriminated against. Education is the most powerful instrument for ensuring women empowerment. It provides important knowledge and information necessary for transforming socio-economic status of women particularly in positive direction. In this study the non-working groups of women belonging to high economic and middle class are found to be more or less aware of various constitutional and legal rights. But it is not sufficient to improve their condition. Awareness should lead these women towards upward direction, capable of planning, make decisions, organize, manage and carryout activities, to deal effectively with people. It is truly said that empowerment is a process of awareness and capacity building leading to greater participation, to greater decision making power, control and to transformative action. Therefore, various welfare programmes meant for women should aim at creating awareness as well as development of skill and attitude. The mind-set of the women folk needs to be changed for creating a conducive environment essential for their empowerment. Because majority of the women is not ready for action. In the name of destiny they remain as victims of exploitation. So, it is necessary to organise these women against any kind of exploitation.

VI. MAJOR FINDINGS OF THE STUDY

1. Majority of working and non-working women (140) had positive attitude towards the importance of empowering women folk. They are in favour of women empowerment for eradication of violence against women. 10 women belonging to lower economic status had no awareness in this connection.
2. A large no. of respondents (75) feels subordination in their lives. Another 20 respondents say that they have no idea about it. There are only 55 respondents who say that they do not feel any subordination.
3. The feeling of 'parents becoming unhappy at the birth of girl child' is higher among the respondents of low class than the respondents of middle and higher classes.
4. The larger segment of the respondents (80) does not feel freedom in expressing her desire. 55 respondents feel freedom in this matter. There are 15 respondents who have no response.
5. Highly educated women have more awareness and understanding of constitutional rights than the women with no education.

6. A majority of respondents (140) agree that women should be treated equally as men. Another 10 respondents remain unanswered.
7. A large no. of respondents (90) has no idea of Domestic violence act. Only 50 respondents have knowledge and understanding of this act. There are 10 respondents who have no response.
8. Majority of the respondents (122) have less awareness about government schemes for the development of children and women. Only 28 respondents are aware of these schemes.
9. Only 10 respondents have membership of various women's organization. Others do not have any membership.
10. A large no. of respondents (135) agrees that rape criminals should be hanged. Another 15 respondents are not in favour of it.
11. A majority of respondents (120) thinks that women should not take legal action against her husband, if he beats her or has extra-marital relationship. There are 20 respondents who say that women should take legal action if this situation prevails. 10 respondents gave no answer.
12. Regarding the laws against sexual exploitation, majority of the respondents (100) does not know any laws. There are 30 respondents who have sufficient awareness about the laws. Only 20 respondents have a little bit awareness about the laws against sexual offence.
13. It is found that the women belonging to nuclear family have more freedom in expressing personal desires than the respondents of joint family.
14. Most of the women do not prefer to take decisions on important matters but leave them to their menfolk's discretion.
15. Education is found to be positively related to active participation in decision making in the family.
16. Majority of the respondents recognize economic insufficiency as one of the important barriers of empowerment.

VII. POLICY IMPLICATION

Already various plans and programmes have been launched for improving socio-economic status of women in our country. But all of these are found to be confined to the statute books. Proper implementation of these programmes in the practical field is really very urgent at present. In order to implicate the policies, policy and programme frames, implementation and development agencies, law enforcement machinery and the judiciary as well as non-governmental organization should come forward to shoulder their responsibility. There must be a close link among Govt., NGO's, and general public as well as other organization to make all these programmes fruitful.

Following measures need to be undertaken to implement already existing policies:

1. Promoting social awareness on gender issues and women's human rights.
2. Review of curriculum and educational materials to include gender education and human rights issues.
3. Removal of all references derogatory to the dignity of women from all public documents and legal instruments.
4. Use of different forms of mass media to communicate social messages relating to women's equality and empowerment.

VIII. CONCLUSION

Women empowerment can be viewed as a continuum of several interrelated and mutually reinforcing components among which awareness building is a basic one. Education is mainly responsible for making the women folk aware of their rights and opportunities. Educated women can recognise the importance of these facilities and know how to seek it for themselves. In order to promote gender equality, education can be used as one of the important means of empowering women. For proper dissemination of knowledge and information of women's right both education and media should be used effectively. Moreover legislations alone cannot improve the status of women unless the women themselves grow conscious of their dignity and needs. It is necessary to motivate women so that they can raise their voices against any kind of exploitation. Education as well as media should offer help to all people to raise the slogan; which should be the slogan of 21st century "Empowering women, Expanding awareness and Eradicating violence".

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