



GENDER DISCRIMINATION AND LAW ENFORCEMENT IN INDIA

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ABSTRACT

The present paper focuses on 'Gender Discrimination and law enforcement in India' particularly, basic rights violation against women. Now days, the majority of women community have been faced all kinds of social, political, physical and economical exploitation in every parts of the nation. Although not intended in the formulation of laws, some criminal laws are applied to men and women differently While there are other examples of ways criminal laws are applied in different ways to men and women, the prosecution of women for drug-related offenses can have unintended consequences for women. Family law encompasses, among other practices, child custody, child support, protection from abuse orders, and divorce—all of which involve women. Women involved in family law proceedings need counsel in obtaining legal protection from abuse for themselves and their children. In custody, support, and protection proceedings, low-income women in family court typically rely upon legal support from local legal services offices to represent them. Legal services lawyers can make improve daily lives of individuals through family law practice supporting women.

INTRODUCTION

In everyday, the millions of Indian women's have been discriminating and exploiting in all form of gender based inequalities. The typical process of formal and non-formal working places of women has been slow and gender biased. In many states, those who have moved to nonfarm work are largely men, while women have remained substantially in working places. Hence a disproportionate number of those still dependent on land are women. In India, for instance, 58 percent of all male workers but 78 percent of all female workers, and 86 percent of all *rural* female workers, are in agriculture. Indeed the *gender gap has been growing*. Women's domestic work burden, lower mobility, lesser education, and fewer investable assets limit their entry into non agriculture, and also their range of nonfarm options. Moreover, the nature of women's agricultural work is, to a greater extent than for men, casual in nature. Relative to men, women also continue to have lower real wage rates and lower average real wage earnings in both agriculture and non agriculture sectors.

In this connection, the domestic violence against women permeates every aspect of life for victims of abuse in the home. It includes physical, emotional, and sexual abuse by a partner. Domestic violence is a complicated problem and once a victim finds the strength to leave her abuser, she encounters a variety of problems requiring legal support. There are a number of legal hurdles women have to jump through after leaving their attacker. One of the greatest challenges facing victims of domestic abuse is loss of housing. Because of the coercive and controlling tactics used by abusers, women can be cut off from family, friends and other support



networks. In Minnesota in 2003, 46 percent of homeless women reported that they had stayed in an abusive relationship because they had nowhere to go. When victims decide to leave their abuser and go to a shelter, they may encounter time limitations on their stay at the shelter. Some landlords refuse to rent units to victims or evict women when they learn of a domestic violence situation. In addition to direct representation of women in obtaining restraining orders, legal advocates can work to prevent discriminatory rental practices, ensure adequate funding for shelters, and other reforms at both the local and national level.

At the international level, the several organisations and associations have continuously working on the women issues all around the world. However, the Organizations both in the United States and abroad are increasingly calling for vigilance in respecting and advocating for the rights of women abroad. Just as in the United States, violence against women is a systemic problem in many areas of the world. In some war-torn countries in Africa, women are raped repeatedly by militants and often infected by HIV/AIDS. In other countries, men beat women regularly, with few, if any, consequences from law enforcement. Often there are stigmas attached to victims of sexual and domestic violence, discouraging victims from reporting crimes of this nature. Legal advocates in the United States can fight for increased awareness of violence against women as violations of human rights.

HUMAN TRAFFICKING AND SEXUAL HARASSMENT

Nevertheless, the Sexual assault and rape pose a great threat to women. Victims of such crimes are in need of attorney advocates to protect their individual rights as women and to support policy on behalf of victims across the nation. State's Attorneys and District Attorneys prosecute sexual assailants and are involved in cases regarding sexual assault on an individual level. In some states, upon arrival at a hospital, rape victims are not informed about emergency contraception. Some women's rights activists are currently working to standardize the information provided to rape victims about their rights and the choices they can make about their health and recovery.

On the other hand, the human trafficking continues to victimize young women and girls nationally and internationally. Low levels of education, economic instability, and limited English competency often make women vulnerable to predatory traffickers, who coerce their victims with false promises for employment. Taken from their homes to other countries to serve as sex workers or domestic servants, women and girls are exposed to physical, sexual and psychological force routinely. Sometimes traffickers and employers deny women and girls their identification documents to prevent them from escaping. Legal advocates work to call attention to these injustices from governments around the world; demand punishment of those involved in trafficking, and return women and girls to their homes.

Unless and until women's claims begin to be seen as socially legitimate, parents who have a male bias are likely to use the right of making wills to disinherit



daughters, even if the laws are made fully gender-equal. Similarly, efforts are needed to change conservative or negative perceptions about women's appropriate roles and abilities, and to challenge social norms that restrict women's public mobility and interaction. For instance, the problem posed by women's marriage outside the natal village arises only partly from the distances involved and mostly from social strictures on women's mobility, and social perceptions about women's lesser abilities and deservedness. Although social attitudes, norms, and perceptions are not easy to alter, certain types of interventions could further the process. For instance, government initiatives to transfer land titles and infrastructural support to women farmers would have a notable demonstration effect. Interventions to strengthen extra family economic support for women, including through a government social security scheme, would help reduce women's dependence on relatives and especially on brothers in whose favour women often forgo their claims. Overall, economic support would also enhance women's ability to challenge inequalities in the family and community because of gender based discrimination.

CONCLUSION REMARKS

A number of social and constitutional bodies also have been arguing for gender equality in inheritance laws by emphasizing that their constitutions promise equal treatment of women and men. Moreover, women's groups that have not raised the issue of women's equal rights and property claims directly have still, over the years, spread an awareness of gender concerns. This has created an environment within which women's claims to legal rights can be placed more centrally in the arena of public concerns something that was not easy to do several years ago. A window of opportunity is also provided by the growing attention being given to watershed development and localized irrigation schemes by a number of NGOs and some government agencies, in several parts of India. But once a woman legal right has become more valuable with the availability of work places, women's property claims are unlikely to be recognized.

The experience of the women's movement in India also indicates that women of different socioeconomic backgrounds can cooperate strategically for legal re-form, as they did in campaigns to amend dowry and rape laws, despite differences in ideologies, agendas, and social composition. Finally, given that this issue is significant and relevant for women in many areas in India. Moreover, many urban middle-class women activists have played and continue to play important roles in preventing gender based discrimination on women in the concerns of social and political credits.

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