

Feminist Problematization of Human Rights in North –East India: A Critical Assessment

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ARTICLE DETAILS	ABSTRACT
Article History Published Online: 15 January 2021	<i>The aim or status of universalism of women has been a great deal discussed issue of feminism in the post-modern era or the end of twentieth century. About portion of the total population is comprised by women; however yet they have not appreciated equivalent rights in the society or they have not treated equally as men. Social attitudes, customs, gender differences, traditions and so on, are chiefly responsible for the disparity between men and women. Feminism movement is criticized that how is injustice to be judged and condemned if contestation and the openness of ungrounded universalism are the only ideals. My aim of this paper is to enquiry into the commitments to equality implicit in feminism and its relationship to 'actually existing' human rights for women as they have been re-worked by the international feminist movement. Therefore, in this paper, an attempt has been made to conceptualize certain gender specific infringement as Human Rights violation with regards to North-East India. It argues that feminism can be used to provide support for one possible understanding of equality set in the convention on the elimination of all forms of discrimination against women. So this paper is to highlight some points of gender biases, women exploitation and crimes against women and make women conversant with the basic women rights by putting the laws in action and pave the way for women empowerment.</i>
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The main focus of my paper is the human rights in north east India in the light of feminist perspective. Human rights are progressively important, both in actuality and in political theory, as a result of collective interest in globalization. There is an extensive specialist feminist literature on human rights issues, mainly written by lawyers and activists. The relative success of the international women's movement is, however, in uneasy tension with the highly developed uncertainty of universal rights in mainstream feminist political theory. Challenges to Enlightenment thought and increased emphasis on sexual difference and differences between women mean that feminist political theorists are wary of universal rights as androcentric and ethnocentric (Phillips 1992). A right is a freedom legitimizing certain entitlements out of which some are simply by virtue of being human. Human rights are based on the principle of respect and dignity for the individual. The fundamental assumption for human rights is that a human is a moral and rational being who justifies to be treated with dignity. Human rights by definition are rights that everyone is entitled to irrespective of who they are and where they live. Human rights are conceived as norms that help to protect all people everywhere from severe political, legal and social abuses. Human rights comprise among others the right to free expression, freedom of religion, right to a fair trial in case of alleged criminal offense, right not be a tortured, right to engage in political activity, right to life, etc. These rights are justified on moral and ethical grounds that exist in law at national and international level.

Women's rights movements in the last two centuries are primarily concerned with equality or protection from discrimination. This has resulted in political, social, and

economic establishing of legislative safeguards against gender and sexual discrimination. In 1928, Virginia Woolf says that,

Towards the end of the eighteenth century a change came about which, if I were rewriting history, I should describe more fully and think of greater importance than the Crusades or the Wars of the Roses. The middle-class woman began to write. (Woolf, 1928, p.64)

Women's rights movements date back to at least the first feminist publication, in 1792, entitled 'A Vindication of the Rights of Women', by Mary Wollstonecraft, which is considered to be an influential theoretical justification and vindication of women's claim to equal treatment. Feminism is a movement primarily committed to questioning the hierarchical structure engulfing gender, may be the deepest of all hierarchies. Feminism is mostly misunderstood as an attempt by women to dominate, which is far from the truth for feminism is an attempt that does not seek to substitute women for men in the hierarchy but 'to overcome domination itself'.

Among the various critiques of 'rights' the most specific, exhaustive and telling is the feminist critique. There is a broad assortment of feminist criticism of nature, meaning and use of rights. Held portrays the feminist critique of rights as the feminist scrutinize of rights, ascending from scepticism about standard rights-based moral theories and a while later demonstrate the manner by which genuine lawful systems utilize rights to reinforce patriarchy and oppressive power structures. Combined with propensity of traditional rights theory to ignore or disregard expansive spaces of women's

experience, including care giving and mothering, moral speculations of rights may likewise seem to exist to profit and reflect the interests of individuals. In this sense human rights are battled to express male inclination, privileging male power and experience while dismissing women's oppression and making light of women's concerns. This privileging thus strengthens an open/private polarity that consigns women's ethical concerns to the private domain while esteeming what is male as essential and public, rendering women's moral concerns separate from and optional to the expansive necessities of public morality and justice.

However, feminist political theorists are now explained to see sexual difference as just one among others that contribute to inequalities and domination. This understanding does not simply mean that feminists should always be aware of differences between women but also that in certain contexts some women may see their allegiance to some groups of men more willingly than to other women. This critique has particular consequences for feminist thinking about human rights in a global context. However, human rights are general norms expected to be applicable to all humans irrespective of race, gender, language, cast, creed and religion. It is expected that all human beings are entitled to enjoy bare minimum rights, like right to life, right to choice. The right to life affects quality of life, while guaranteeing prosperity and well-being. Dignity of life is essential irrespective of gender, on which Mary Wollstonecraft says,

...earnestly wish to point out in what true dignity and human happiness consists - I wish to persuade women to endeavor to acquire strength, both of mind and body, and to convince them that the soft phrases, susceptibility of heart, delicacy of sentiment, and refinement of taste, are almost synonymous with epithets of weakness, and that those beings who are only the objects of pity and that kind of love, which has been termed its sister, will soon become objects of contempt. (Wollstonecraft, 1792, p.8)

In a majority rule systems the law is subject to give its citizens the right to pick their own legislature by voting. Similarly, a society may compose into law the privilege to free discourse. So also, people might be given rights for may be given rights for more immaterial things, as artistic or inventive works. These rights are incorporated with lawful violation of which can be challenged in a court of law. Rights sketch human freedom. In the structure of human rights which are generally regarded as universal, women's right also must be guaranteed. Held notes,

Rights are not fixed but are contested, and political struggles are effectively organized around the indignation widely felt over clear denials of rights and persuasive reasons to recognize new rights. Among the strongest arguments women and minorities and colonized peoples have made are that they have not been accorded even the minimums of equal respect supposedly guaranteed by law. The basis for many of the most substantial advances made by disadvantaged groups has been composed of justice,

equality, and rights; of course this discourse should not be abandoned. (Held, 1998, pp.500-510)

Feminism is an arrangement of thoughts and ideas which urbanized throughout the second half of the twentieth century concerning socio-political philosophy. Then 'Feminism' as a term has turned out to be very recognizable in everyday dialect; it has progressed toward become almost a style, and being known as a feminist has expected a special personality. It to a great extent inspired by a worry for parallel social role and position and privileges of women in connection with the male individuals in a society. In this way Feminism is seen as the ideology of or hypothetical promise to the women's freedom movement wherever all through the world.

Therefore, the north-eastern part of India is bounded by Bangladesh in the south east, China in the north, and Bhutan in the North West and Burma in the east. The northeast India comprises eight states namely Assam, Meghalaya, Arunachal Pradesh, Sikkim, Manipur, Mizoram, Tripura and Nagaland. The region is multiethnic with heterogeneous cultural background and is different from mainstream homogeneous culture. As the region abruptly descends to the plains of the mainland, cultural, social and economic contrasts are strongly evident. Due to the prevalence of tribal and indigenous culture it is generally perceived that women of the region are relatively much liberal than rest of the country. The general presumption is that women of the region are equal partners with their male counterparts in different spheres of lives. However various gender studies reveal a totally different picture. The gender attainment study revealed that Assam, one of the largest north-eastern states, ranked 10th among 16 major states of India. The study showed that north-eastern states like Manipur, Meghalaya, Arunachal Pradesh, Mizoram, and Nagaland ranked above the national average in terms of GEI in 1990s. However the states like Assam, Sikkim and Tripura remained far below the national average in the same study.

Moreover in the last few decades insurgency has been the part and parcel of the life of the people of the region. Various ethnic strife, rebel, militancy have been affecting the normal lives of the people and women are the worst victim of it. The region has been witnessing the violation of human rights. Due to armed conflict and militant activities women in the region has been more vulnerable. There is an ongoing struggle by people trying to establish their right to autonomy, in most of the north-eastern states, which has led to political instability, strife and outright violence in the region. Strong inter-ethnic rivalries have aggravated the cycle of violence. In Assam, these resulted in the anti-foreigners movement that lasted for six long years, insurgency and of late, the Bodo Adivasi ethnic violence. In Manipur, as in other states in the North East, the movement for autonomy took violent turns. Army operations intensified the violence. Political unrest has created difficult conditions for the different communities in the region. Keeping all these points in mind an attempt has been made in the present paper to analyze the issues of gender gap in the region.

In north- east region, women enjoy greater mobility and visibility than women of other parts of the country. Practices such as dowry and bride burning are not very prevalent in the region. This is often cited to portray a picture of equity between men and women in the region and has given rise to the

presumption that violence against women is not a major concern in the area. However, the violence against women, particularly domestic violence, is on the rise in the North-east. The rate of domestic violence in Assam is comparatively high than other states of north east India. Violence against women is a manifestation of the historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of women's full advancement.

Last few years, certain efforts have been made to bring consciousness among women that violation against women is a violation of women's human rights. Witch-hunting has been increasingly highlighted in the last few years in north-east India. It is a belief of superstitions. Suspected women and men are branded as witches and are accused of causing harm to communities. These women and men are physically and mentally tortured. There is evidence of some being buried and even burnt alive. Control over resources, personal enmity with powerful members of the community and the prevalence of superstitions are some of the factors responsible for witch hunting. Alcoholism increases domestic violence against women and interruption takes place in the family. An alcoholic beats his wife and children. There are number of poor incidences has been occurred in the society. Besides husband who used illicit drugs, he also disturbed his family and spends his money without planning and he depends on his wife. Women are not allowed to have at least some money that they can spend as per their wish. In most of the cases the victim is branded as a woman of loose morals. Rape is viewed as a crime against the honour of not just the girl who is rape but also her family. Sexual violence has increasingly been used as a tool of war in the north east region.

North-east region has been witness to an ongoing low-intensity conflict for a long period of time. While the entire region continues to suffer, women living in such conditions are most vulnerable due to the restrictions on their mobility, the limited access to health services and most importantly, the lack of opportunities for education, employment and even leisure. Women have been, in internal war, the targets of sustained and frequently brutal violence committed by both parties of armed conflict. Both the sides often use violence to punish or dominate women believed to be sympathetic to the opposite side. Women have been threatened, raped and murdered during the conflict. Thus, women who were till then not allowed to join the formal economic sectors are suddenly left on their own and are forced to eke out a living for themselves and their families. They are however not provided with any kind of support or alternate sources of livelihood. Nor are any avenues of employment made available to them. Here, unemployment may be considered as a major problem. Some study focused that often women have to resort to selling liquor, drugs or even prostitution to make enough money to run their household. They have lost their rights such as right to life, right to liberty and security etc. Due to lack of awareness, illiteracy, lack of interaction, unequal access to information and other economic and non-economic resources, women plays triples role, women's rights can be violated.

An important requirement for bringing about empowerment of women attitude should be changed in both men and women. The feeling that women are meant for household activities and bearing children needs. It should be replaced by a feeling of equal partnership of women and men. The women should be encouraged to organised themselves such as women's group, self-help group, N.G.O's etc. It can be effectively used as instruments to mobilise the women. Some successful women's organisations can also act as catalytic agents for encouraging women's participation in social and political activities. The government should provide financial support and infrastructure to some of the successful women's organisations to take of the responsibility to safeguards the women's rights and to create awareness amongst women, thereby eliminating powerful men taking advantage of the ignorance of women and controlling their decisions. National Literacy Mission and other organisations engaged in the Sarva Shiksha Abhiyan should also be assigned the responsibility of educating the rural women and men regarding the significance of Human Rights and empowerment of women. As soon as the Government of India and all State Governments of North-East India must make an all out effort to find a political solution to the armed conflict in north – east India. And the Armed Forces Act must be repealed immediately. Armed forces misused this act and involved in violation of human rights in many cases. Therefore, section 19 of the Human Rights Act 1993 must be suitably amended to make the verdict of Human Rights Commissions more binding. Restrictions on the Commission's jurisdiction over armed forces must be removed. National Human Rights Commission should knock at the doors of the offenders. Cases should not be pending in never ending process Strict action should be taken in this regard.

To put an end, I would like to expose that north-east women are still filling behind in numerous respects and they confront numerous difficulties. Their low level of financial exercises, social backwardness, education, weakness conditions leads it imperative of an efficient procedure of development. They work hard and contribute essentially towards the financial state of family; however they are still in destitution for the most part on the grounds that no legitimate endeavours are situated towards them. Economic status decides different parts of life and living condition. In the present context, nobody can remain totally secluded, but they are affected by the development of current societies and culture. Women status mainly depends on their rights and privileges and the roles assigned to them. Status is determined in terms of socio-economic indicators such as income, property, education and skills that open up opportunities of employment. One cannot hope gender equity unless women have a share in the decision making process in the family and in the public sphere. When women raise their voices against underground oppression, they branded as state agents are silenced. With the recent introduction of courses on human rights and peace reconstruction there is evidence of regional women's groups calling on larger human rights organizations to address their grievances and local problems. They have also started reaching out to state agencies for redressal and justice.

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