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RESEARCH ARTICLE

HUMAN RIGHTS AND SOCIAL STATUS OF TRIBAL WOMEN.

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Abstract

This article discusses of tribal women human rights all human being have the right to live as human beings. Human rights are not conferred or given. They already exist in society. The concept of human rights aims at protection of rights like right to life, liberty and property. These rights are attributed to human being irrespective of class, caste, gender, colour and religion. The universal declaration of human rights was unanimously adopted by the UN General Assembly on Dec. 10th, 1948. The preamble of Indian constitution adequately empowers the central and state government to eliminate human rights violation in the country. Human rights of tribal women are violated extremely and in peculiar form.¹ So, it is important to discuss the status of tribal women and various articles made for their upliftment. This article focused on this issue and given recommendations will help in securing their position in our society.

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Introduction:-

The family has many forms and different structures. These families have direct bearing on the status of women, not only in terms of the number and quality of relationships to which they have to adapt and the distribution of function and roles, but also with regard to the allocation of resources. According to religious beliefs, women are considered impure, that is why they are not allowed to use plough and interact with supernatural being directly. The present and condition of the tribal women is not an accidental affair. It has evolved because of the operation of several forces in the past. The economic cycle and division of labour in the tribal areas has given an important role to the women. This economic role has undoubtedly affected the social position of women, who have social freedom that is quite remarkable in its scope.² There is culture similarity among the different tribal groups in the respective areas under study, as the women from different areas have the similar economic roles to play, necessitated by the demands of environment to grow food for their own consumption.

Status of Tribal Women in Society:-

Role of women is not only of importance in economic activities, but her role in noneconomic activities is equally important. Women's role as wives, mothers organizes and as the basic foundation of other dimensions of social life of utmost importance. The tribal women in these areas occupy an economically significant place that is reflected in the generally high position and the importance that they have. The socio-economic equality of sexes can be observed in the attitudes and practices concerning marriage, divorce and household harmony. The tribal women work very hard, in some cases even more than the men. However these women are not backward. They have power in their own sphere, no men tell them what to do. They are responsible for their own share of work and share the benefits of

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their own work as long as the unit of production and consumption remains the home. Their own perception and that of their men, is that women share major share of socio-economic activities and consequently they are respected, well thought of and think well of themselves. The concept of patriarchy which prevails in subsistence societies, conveys respect rather than envy between the genders despite the fact that tribal women live their lives as dependents throughout their life cycle as daughters, sisters, and wives or as mothers of sons, they have far more power and independence than modern sub-urban housewives. A woman always has it in power to leave her husband if she is angry, dissatisfied or unhappy. She has great freedom of movement as children if any, remain with the husband her labour is sufficiently in demand so that she can move not only back to her natal family but also to a sister's husband's house or a more distant kinsmen's house she can stay there till such times as she return to her husband's house or finds a new one. There is no great need for her to return to the natal village although this is the his authority will be accepted simply because he is a man and fails to take into account the wishes or feelings of his wife, sister or daughter, he often gets himself into trouble. There is no way for a man to force women compliance with his wishes. Her economic ability and consequent social position has resulted in special institutional privileges that are bestowed on the women. In spite of having freedom they seldom have a voice in the political sphere they are not ignored at household level, but are not given due credit and importance in political and religious subjects. They are like invisible hands shaping and maintaining the structure of society.³ Women a majority of the world's population, receive only a small share of development opportunities. They are often excluded from education or from better jobs; from political systems or from adequate health care. Even as doors to education and health opportunities have opened speedily for women, the entry to religion and political fields is still not effortless. They are treated unequally under social welfare systems that affect their status and power in the family. Women receive a small share of credit from formal banking institutions, as they have no collateral to offer. Women normally receive a much lower average wage than men.

Tribal women have been discriminated against in education, income, consumption, status and access to power, they have a worse health record than men, they suffer from social, cultural and legal discrimination and often from violence. They are discriminated on ground of equity which refers to equality of opportunities and choice and efficiency. There is need for quantitative measurement for a complete set of cultural and rights indicators to assess women's rights. The rights of tribal women as women and their right as indigenous peoples shall be understood as interlink and inter-related. Indigenous women are an integral part of indigenous people's collective identity, dignity, cultures and ways of life. Thus, the violation of the rights of indigenous peoples also directly affects indigenous women and the violations of their rights as women also affects them in different ways as indigenous peoples in relation to their welfare and wellbeing as indigenous peoples and as women. In spite of the huge funds invested for rural development, adivasi communities, including women benefitted the least. In fact, the expansion and operation of mining and extractive industries in all the Adivasi territories, and the building of large dams in the tribal areas created massive displacements of adivasi and tribal villages, resulting to food insecurity, poverty, violence and abuse especially amongst indigenous women and girls. This has increased even more their vulnerability to trafficking and sexual exploitation as they look for means to survive and earn income. Further they remain most vulnerable to all forms of violence including domestic violence, rape and sexual assaults, trafficking, witch-hunting among others. State machineries are not addressing the increasing incidents of such violence against indigenous women. Thousands of victims are not given justice, in spite of the existence of laws and measures for the protection of women against acts of violence and abuse.

Due to poor education system or lack of quality education, tribal women remain in a cycle of illiteracy. Their health condition is also very poor compared to the majority of the population. There is a higher rate of maternal deaths among tribal women and higher rates of malnutrition among tribal children including girls. They are economically dis-empowered by not having land tenure in spite of their role and contributions as custodians of land and natural resources. Millions of tribal women depend on the land, forest and water for their livelihoods and for providing food security to their families and communities.⁴ The labour of tribal women are valued less and paid less than men in the private and public sectors despite the national scheme of MNREGA under which equal wages are required. Due to the degrading socio-economic and political status of tribal women, they continued to face severe violations of their human rights, both within their own community and in the wider society.

Violence Against Women:-

Violence against women is highly pervasive and perpetrated with impunity. Reports indicate that every 60 minutes two women are raped and every sex hours a young married woman is found beaten to death, burnt or driven to suicide. There were at least 213,585 cases of crimes against women including 22,172 rape cases, 29,795 cases of

kidnapping and abduction, 8391 cases of dowry deaths in 2010. (National crime records bureau, 2010) Women are also targeted on account of their caste, sexuality disability, and other status. Sexual violence against tribal women is a systematic, (National crime records bureau, 2007) way of enforcing status quo of the tribal in the social order, and to reinforce the right of the upper caste to control and exploit the sexuality of tribal women. The NCRB reported a total of 1,557 and 772 rape cases of SC and ST women respectively in 2011 with a disclaimer that number of victims may be more than the cases reported in some states/UTs/cities. There are cases of kidnapping and abduction of SCs, with Uttar Pradesh alone accounting nearly 58.8% of the 616 cases for 2011. Notably, there is so disaggregated data collected on atrocities against tribal women (National crime records bureau, 2011), Stigmas, systemic persecution and violence against lesbians transgender, and women with disability occur with impunity with little or legal redress. The target is of middle-aged and elderly single women in tribal as well as non tribal. India ranks among the worst countries in tacking human trafficking, (The Hindu, June 16. 2010.)

Few tribal women are free from threat and violence at the hands of their husbands. Violence often become a tool to socialize family members according to prescribed norms of behaviour with an overall perspective of male dominance and control. Klekar (1991) situates violence against women in the socio-economic and political context of power relations and it should include exploitation, discrimination, upholding of unequal economic and social structures, the creation of an atmosphere of terror, threat or reprisal and forms of religio-cultural and political violence (kelkar, 1991). However the other castes and communities it seems is not present among tribes.⁵

Human Rights Related to Tribal Women:-

Article 1,2,4,5: Discrimination, Temporary Special Measures, Sex Roles and Stereotyping:-

According to our Indian constitution all citizens are equal, but still tribal women are discriminated because of their ethnicity, gender and class in the society. Temporary special measures are not applied as for the empowerment of scheduled tribe women. The implementation bodies using welfare approach which brought dependency syndrome and subsidizes their creativity. Though their health, education, livelihood support and need based skills training, sustainable development activities which build up the capacity of adivasi tribal women towards full and effective participation in every sector.

Article 6: Trafficking Exploitation and prostitution:-

There is a large scale trafficking of tribal girls and women, for exploiting their labour. Loss of traditional livelihoods, lack of quality education, lack of sustainable income opportunities have led thousand of tribal women to migrate to cities in search of jobs. Many have become victims of trafficking by false inducements and placements agencies. Many tribal girls are employed for domestic work, a sector that is unorganized unregulated and highly exploitative. Many of the domestic workers are controlled by unregulated placement agencies that induce traffic and control their wages inspite of the existence of various laws and developmental programmes no visible improvement has taken place. More than a thousand of placement agencies have been still running yet these remain unregulated.

The government has set up schemes to respond to this growing exploitation. The government report claims that through the Ujjwala scheme, 68 rehabilitation centers were set up, 10000 police personnel were trained to handle trafficking. The report however doesn't give any account of its impact and outcomes. Several cases of police atrocities have been reported, who physically tortured innocent tribal young women in railway stations and police stations. There are cases of police taking bribes from the placement agencies and maid's owners to silent the ceases.

Article 10: Equality in Education:-

Discriminatory practices against tribal girls in schools and higher educational institutions, in terms of poor quality of education, inadequate facilities, admission policies, provision of scholarships etc. the ministry of human resource and development including UGC have not taken sufficient measures to create and monitor equal opportunity cell or anti-discriminatory units in higher educational institutions.

Article 12: Healthcare and Family Planning:-

Poor health facilities and amenities, lack of doctors and staffs especially in the area of tribal area is worsening the health condition of tribal women. Further, there is a failure in the proper implementation of the health schemes and projects such as janani Suraksha Yojna in rural area of which tribal women are not benefiting properly. As a result, they are suffering from reproductive health, diseases like anemia. Malaria HIV/AIDS, blood pressure, cancer and diabetes is very common. Further there is higher rate of maternity deaths among tribal women and higher incidents of malnutrition among tribal children including girls. The health and well-being of tribal women is interlinked with

their natural environment.⁶ Thereby the displacement of tribal women affects them adversely including their physical, mental and psychological health. Their traditional knowledge including on traditional plants and herbs is also weakened because of their removal from their natural habitat where they practice sustainable resource management systems as one of the critical source of their traditional knowledge.

Article 13,14: Social and Economic Benefits, Rural Women:-

Tribal women make significant contributions to the development of the community, Despite some improvements in their socio economic status in both rural and urban areas, their rights and priorities remain insufficiently addressed in legal frameworks, national and local policies, budget, as well as in investment strategies at all levels. They continue to face disparities in access and control over resources. One of the essential tools that can be used to promote equality and empowerment is gender-responsive and gender budgeting. Therefore, National legislation of tribal Sub plan (ISP) is an urgent need for proper allocation and implementation of programmes. Tribal women are discriminated in rural and also urban setup due to their ethnic identities. They do not have property rights, inheritance rights and land right as the concern is for both their collective as well as individual rights.⁷ Due to lack of land or property rights women are easily subjugated as powerless and considered as weak so subject to different forms of violence against women. The agricultural works of rural women are not paid nor reflected in the national income.

Conclusion:-

There is a need to have a disaggregated data on tribal women in social, economic and political fields in order to ascertain and develop appropriate measures policies and programmes to meet their needs improve their conditions and wellbeing in the context of respecting their rights as women and as indigenous peoples. Till today, there been no common legal framework at the national level to promote and protect the rights of the women domestic workers.

These shall include the ministry of tribal Affairs, national commission for scheduled tribes and tribe sub plan integrated tribal development projects has to be implemented property to improve the situation of indigenous peoples particularly women. The commission for scheduled area and scheduled tribes, committees on welfare of scheduled castes and scheduled tribes, national scheduled finance and development corporation and tribes marketing development federation. Further there is a need to establish effective monitoring mechanism on how these agencies are functioning in addressing the rights, welfare and needs of tribal women.

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2. Ibid.,pp-139.
3. Ibid.,pp-140.
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5. Dr. Jagdeep Singh, "Myth and Reality of Human Rights" oxford book company Jaipur, new delhi-2015., pp-142.
6. Ibid.,pp-143.
7. Ibid.,pp-144.