

VIOLENCE AGAINST WOMAN IN INDIA – A MENACE TO MANKIND

- Mouli Pandey ¹

ABSTRACT

Violence against women is a serious Human Rights abuse and it also have a great impact upon a women's physical, mental and social health. World Health Organization (WHO) defined violence as intentional use of physical force or power, threatened or actual, against a group or community that either results in or has a high likelihood of resulting in injury, death, psychological harm . According to United Nations, Violence against women is defined as any act of gender-based violence that results in physical, sexual harm to a women including threats of such acts, coercion or arbitrary deprivation of liberty, occurring in public and private life.

Women experience all forms of violence whether it is by family, partner or at workplaces. Violence against women also include violence against young girls which includes child abuse, gender-based abuse of infants , Honor Killings and many more which will be further discussed in my research paper. Only a few crimes that takes place against a women are reported. Many violence and crimes are not reported because of lack of awareness among women regarding the laws related to violence and crimes against the women. There is an urgent need for the more studies on violence so that the people become aware of it and will better understand the psychology of those who violates the law. Violence against women is an inhumane action!

This paper intends to discuss the following aspects regarding the evil issues of crime against women –

- 1. Violation of Human Rights due to violence against women*

¹ Author, Kalinga University Raipur, Chhattisgarh (492001)

2. *Types of Violence caused against a women, Laws and provisions present as a safeguard against this violence*
3. *Major Effects of this violence upon a women through some case studies*

Introduction

Violence against women is a serious human rights abuse and it is also a public health problem such as physical, mental, sexual and reproductive health. It has also a great impact upon a women's social health. According to United Nations, Violence against women is defined as: *Any act of gender-based violence that results in physical, sexual harm to a woman including threats of such acts, coercion or arbitrary deprivation of liberty, occurring in public and private life.* Physical health includes: injuries, headaches, chronic pain and sexually transmitted diseases. Mental health includes: depression, anxiety, extreme stress such as nightmares and sleep disorders, suicidal issues and many more. World Health Organization (WHO) defines violence as: *Intentional use of physical force or power, threatened or actual, against a group or community that either results in or has a high likelihood of resulting in injury, death or psychological harm.*

Women who have generally low educational qualifications are more likely to experience these kinds of violence especially intimate partner violence. These kinds of violence can affect a woman mentally, sexually and also it can negatively affect a women's reproductive health which is a major concern. World Health Organization published global estimate which shows that 35% women in worldwide experienced physical or sexual partner violence and non-partner sexual violence in their lifetime². It has been also estimated that 38% of the murders of the women are committed by their male intimate partner or by the other family members. Gender inequality is also the main reason for violence against women. Violence are also committed against young girls and adolescents. Sex and age are the important factors in determining the kind of violence which are exercised against a woman or a young girl/adolescent. This

² <https://www.worldhealthorganization.int>

sexual violence against young girl or a child may lead them to smoking, consumption of alcohol in a larger amount, and also, they can be addicted to drugs.

Sexual Violence is not constrained to only one gender i.e. females. Males are sometimes also the victim of a sexual violence. Somehow, Men's Rea plays an important role in this kind of violence. In a society, where all the citizens are said to be equal and shouldn't be discriminated, these kinds of violence bring discrimination. Violence against women can have a long-term impact upon women as well as her child's health. The long-term effects include harm to that person's as well as child's health which is not a good thing and also it causes harm to community, for ex: lost work and homelessness³. Because of these violence's, many innocents are committing suicides or they have taken the path of self-destruction because even their families are humiliating them and not understanding their situation and not guiding them the correct path so they do what-ever they feel is correct. The use of murderous violence in the face of imagined threats to that person or their family/community is an unfortunate reality in many parts of a country and the world on an emerging scale.

Various Forms & Types of Violence

Types of Violence caused against a women, young girls and adolescents:

- (1) Physical Violence: Physical Violence is an aggressive act done against a woman. These aggressive acts include slapping, kicking, biting. As a result, women are seriously injured and, in some cases, they die⁴.
- (2) Sexual Violence: Sexual Violence includes threats, forced sex by a partner/family member/office colleagues/Boss/dating partner/stranger. A woman can be sexually harassed by a group of persons which is known as a gang rape. In this, the woman's body is badly affected and as a result she could die or she may have a destroyed reproductive health.
- (3) Psychological / Emotional Violence: This kind of violence includes restrictions upon a women from seeing her family and friends, humiliation by

³ <https://www.womenshealth.gov>

⁴ "Violence against women". Human Rights Watch

a husband or a family in front of everyone, economic restrictions, controlling behaviors and many more.

Worldwide, almost 3 in 5 women's were killed by their partners / families⁵

(4) Child Marriage: It means putting an end to a girl's education and getting her married before the age of 18 years. The girls who are a victim of child marriage, usually faces a greater risk of intimate partner violence than a girl of the same age who marry later. 45% to 55% of women's experienced sexual harassment since the age of 15 years⁶.

(5) Sexual Exploitation and human trafficking: Human trafficking means exploiting the people through fraud, coercion. Research shows that around 72% of trafficking victims are women or girls and 4 out of 5 women are trafficked for the sexual exploitation⁷.

Research shows that around 650 million of women's and girls alive today are married before attaining the age of majority i.e. 18 years⁸

(6) Honor Killings: Under the wide scope of crimes of Honor killings that happens, is perhaps the most heinous of them all. Human Rights Watch defines honor killings as: *Honor killings are act of vengeance, usually death committed by a family member against female family members, who are held to have brought dishonor upon the family. A woman can be targeted by her family for variety of reasons including: refusing to enter into an arranged marriage, being the victim of a sexual harassment, seeking divorce, etc.* Family members are not concerned whether the male or female member of their family are victim, whoever it is male or female who brings dishonor or shame upon family are subjected to death.

(7) Interpersonal Violence: This kind of violence are done against young girls and adolescents which are exercised by the dating partners, or other family members.

⁵ Global and regional estimates of violence against women, (WHO)

⁶ Violence against women: wide survey

⁷ Global report on trafficking in persons, UNODC, 2018

⁸ Child marriage – infographic, UNICEF, 2019

(8) Gender based abuse of infants and a female child: Still there are some countries which prefers boy over a girl. This thing gives rise to sex selective abortion of female or killing of a female child soon after a birth.

(9) Female Gender Mutilation: WHO defined FGM as *total removal of external genitalia or other injury to the female genital organs for religious or other non-therapeutic reasons.*

This violence has a great impact upon a child. The children who are growing up in the family where they are seeing this kind of violence taking place, they are mentally and emotionally disturbed. They won't be able to concentrate in their studies they'll have low self-esteem and will face many problems.

Case Studies Related To Violence Against Women

(1) The Bobbitt Case – This is the case related to an American couple. The husband used to abuse the wife sexually, emotionally and physically during their marriage and the husband also forced the wife to get an abortion. For some years the wife tolerated this behavior of husband and after-some-time she took a bold step and one day she severed her husband's penis with a knife which was later surgically re-attached. Everyone in the court thought that the wife was suffering from a clinical depression and a stress disorder due to the abuse done against her, but at the end jury said that she was not guilty and could not be held liable for her action.

People have become modern and the world have entered into a new millennium, but today also there are some women's who belong to the patriarchal society of India are ill-treated, exploited and get discriminated in every sphere of life. This patriarchal system has been continued since the time of Rigveda, in which the customs and the values are made by the men.

(2) The Priyanka Reddy Case (Hyderabad) – There was a young girl named Dr. Priyanka Reddy, she was a veterinary doctor who used to reside in Shamshad in Hyderabad. She was gangraped. She was on her way at that night and suddenly the tyre of her scooter got punctured. She was raped, smothered and burnt by four men. That four men were the 2 drivers and 2 cleaners.

This is the recent case happened in which that innocent girl got brutally raped and got murdered that night which left the entire nation in shock.

(3) The Acid Attack Case (Laxmi Agarwal) – There was a girl named Laxmi Agarwal who was 15 years old. This incident took place in one of the markets in the Delhi. There was a guy named guddu who was a brother of Laxmi's good friend. One fine day guddu proposed Laxmi and Laxmi refused, so for taking revenge guddu threw acid on Laxmi's face because she refused him. Recently the Movie have been also released named Champak starring Deepika Padukone who played the role of Laxmi Agarwal, the acid attack survivor.

In many parts of the countries the cases related to the violence against women are unreported. Many women who are illiterate are not aware of her rights, remedies, procedures and the law related to women. There are some women who are educated but they cannot come up and speak about the violence they face because of the family and the societal pressure. Some countries like Latin America and Bolivia have the highest number of sexual and physical violence against the women⁹.

This is very disappointing that the parents kill their own child, their own blood for preserving their honor and pride just because they got raped or they are in love. This is such an inhumane activity! Even now in modern times this thing prevails. Scores of people in Pakistan, an overwhelming majority of whom are women, are still being murdered by the relatives for bringing shame upon their family and the society. At least 280 such murders were recorded by the Human Rights Commission of Pakistan¹⁰. Even now also the violence against women prevails more in rural areas than that of urban areas. In rural areas mostly people are not properly educated and they are narrow-minded peoples. One of the case related to this is – There was a girl of 15 years old, she was engaged in an illicit relationship with a boy. Her parents come to know this and they threw acid on her and the girl died from the severe burns on her face and chest.

Causes Of Violence Against Women

⁹ Newindianexpress.com

¹⁰ www.firstpost.com

The main reason for this violence faced by the women are that the people and the society consider women as a property of men. Even if a couple got married then also the husband or the wife does not have the right to force each other for indulging in a sexual relationship. The judicial system is also one of the main reasons for this because judicial system sometimes does not grant a fast relief/justice to the victim and it sometimes let the aggressors go free. Women's who are illiterate are generally not aware of their rights and remedies which the law have granted to them. Unequal power between the men and the men is also the reason for this violence," *everyone thinks that the men is more physically strong than the women, but it is wrong because women are mentally and emotionally stronger than a men because a women can bleed for 7 days every month and still survive, a women carries a life in her womb for 9 months and during the delivery she bears a lot of pain which no one has been thought of, but a men can't bear all this pain!*"

Violence takes place where the women is said to be mostly safe i.e. home, and the other place where the women faces this violence is the work place. Women often have the kind of jobs where she is getting less paid and the men are highly paid and the men take advantage of this and then they sexually harass the women. Very less cases of violence against women are brought to court.

Laws And Acts Related To The Women

- There is an act related to the violence caused to women because of the dowry i.e. The Dowry Act, 1961 (Amendment act,1986)
- There is a Domestic Violence Prohibition Act, 2005
- Harassment at the work place Act, 2013
- Marriage Act
- National Commission for women's Act, 1990
- Ancestral Property Act, 1956
- Maternity Benefit Act, 1961
- Minimum Wages Act, 1948
- Family Court

Some Laws and Acts related to the Children's are as follow:

- Gender Discrimination Act, 2012 [POCSO]
- [JJJ] Juvenile Justice Board Act, 2015
- Child Labor Act, 2015
- Child Marriage Act, 2006
- Child Rights Commission Act, 2005
- Right to Education, 2009

These Laws and acts gives the women and the child, support to them and their families who got affected by this kind of violence. There are some few acts which are related to violence – *Violence against Women Reauthorization Act OF 2013 and The Family Violence Prevention and Services Act (FVPSA)*. The Violence against women reauthorization act mainly deals with the domestic violence and sexual assault faced by the women. It provides the support and the services for the victims. The services provided by them includes – Programs and the services for the disabled women's, Legal Aid for the survivors who faced this violence, Services for Young Girls and Adolescents and Protection for the victims are thrown out of the house because of domestic violence.

The Family Violence Prevention and Services Act (FVPSA) provides food and shelter to the victim who faced domestic violence and their children's.

In many parts of the countries the women are unaware about the fact that there are many laws and act to protect them from such violence. When they will be getting aware of the laws then only, they will get remedy, then only the legal process will start.

Conclusion

In my Conclusion, I would like to say that, The Violence Against Women's need to be condemned strongly not only in India but throughout the world, so that we could save the lives of innocents. Every once in a while, the media erupts in outrage over the killing of a girls or a women because of these violence's. Every year there should be a legal-aid camp for the women's who are not properly educated or illiterate so that

they are aware of the laws and remedies which are there for them if they face any kind of violence.

Violence against women is a serious violation of Human Rights and it is also a Public Health concern. How long we are going to advice women on something irrational. According to me, Men could at-least do few things by which the women's could feel safe like – Don't put drugs in women's drink, if you are in an elevator and a women gets in, don't rape her, when you encounter a women who is asleep, safest course of action is not to rape her, last but not the least follow the slogan: "Honesty is the best policy", at-least show your real intention to the women that what you want from her so that timely, she can save herself from your evil-eyes.

At last I want to say that, only women empowerment and making of the act is not sufficient enough to bring about a social change and we must have to change our old dated traditional thinking and behavior which we have received from our fore-fathers, should undergo a refinement process. Though to bring about a social change is a long process and it needs a community participation.