

NATURE OF VIOLENCE AGAINST WOMEN: A WOMAN CENTRIC ISSUE

Dr. Sugandha kohli Kaang

Department of Sociology, Sri Guru Gobind Singh College, Sector-26, Chandigarh

Abstract

Violence against women is a global problem and is deeply penetrated in our country. The present paper attempts to study the meaning of violence against women, its causes, types and laws existing in our society which aim to prevent violence against women. After going through the various provisions of various major and minor acts, enacted for the prevention of violence, it is observed that the condition and the position of women has been enhanced but there is lot to be done in this field.

Keywords: Women, Violence, Society, Community, Human Rights.

Violence against women is not a contemporary problem prevailing in our society. Violence against women has been recognized by the international community as the most fundamental violation of women's human rights. "Violence against women is an obstacle to the achievement of the objectives of equality, development and peace", categorically declares the Beijing platform for Action. It further asserts, "In all societies, to a greater or lesser degree, women and girls are subjected to physical, sexual and psychological abuse that cuts across lines of income, class and culture. The low social and economic status of women can be both a cause and consequence of violence against women". The United declaration on the elimination of violence against women regards the "unequal power relations" as the cause and core of violence against women. It is these which have "led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the most crucial social mechanisms by which women are forced into subordinate position compared with men."

Violence against women is present in every country, cutting across boundaries of culture, class, education, income, ethnicity and age. Since time immemorial, India has particularly been a male dominated society and prevalence of illiteracy among women has resulted in wide spread violence against women. Therefore, Indian women like women all over the world suffer from various kinds of domestic violence.

According to latest data released in 2019 by the National Crime Records Bureau, crimes against women have more than doubled over the past ten years. It reported almost 34,000 rapes in 2018, barely changed from the year before. Just over 85 per cent led to charges, and 27 per cent to convictions, according to the annual crime report released by the Ministry of Home Affairs.

The higher rate could be explained by increased crime, but it could also be that more women are confident enough to report crimes against them. Women in our Indian society have been victims of ill-treatment, exploitation, humiliation and

torture for as long as written records of family life and social organisation are available. These records are replete with incidents of abduction, rape, murder and torture of women. But, regrettably, female victims of violence have not been given much attention in the literature on social problems or in the literature on criminal violence.

The indifferent attitude and ignorance which can be attributed to factors like lack of awareness of seriousness of the problem, general acceptance of man's superiority over women because of which violent acts against women were not viewed as violent or deviant, and the denial of violence by women themselves owing to their religious values and socio-cultural attitudes.

Violence against women occurs throughout the life cycle from pre birth, infancy, childhood, adolescence, adulthood to old age. Most of the data are believed to be unreliable as many cases go unreported.

Example of violence against women throughout life cycle :

PHASE	TYPE OF VIOLENCE
Pre-birth	Sex-selective abortions; effects of battering during pregnancy on birth outcomes
Infancy	Female infanticide; female genital mutilation; physical, sexual and psychological abuse.
Girlhood	Child marriage; physical, sexual and psychological abuse; incest; child prostitution and pornography.
Adolescence and Adulthood	Dating and courtship violence; incest; sexual abuse in the workplace; rape; sexual harassment; forced prostitution; marital rape; dowry abuse; partner homicide; forced pregnancy
Elderly	Forced suicide or homicide of widows for economic reasons; sexual, physical and psychological abuse.

CAUSES OF VIOLENCE AGAINST WOMEN

1. Psychiatric morbidity

Alcohol has consistently emerged as a risk marker for partner violence that is especially consistent across a range of settings for all types of violence. Alcohol operates as a situational factor, increasing the likelihood of violence by reducing inhibitions, clouding judgment and impairing an individual's ability to interpret cues. Others morbidities such as bipolar disorder, paranoid schizophrenia, delusional and antisocial personality disorder make the man more vulnerable to commit sexual crimes. There is evidence from many forensic cases (Bobbit, Manu Sharma, Nirbhaya etc.) that alcohol was the common denominator in violence against women.

2. Socio demographic factors

Patriarchy has been cited as the main cause of violence against women. Women engaged in small business and farming were more likely to be abused than

women who were housewives or who had occupational status equal to that of husbands.

3. Family factors

Exposure to harsh physical discipline during childhood and witnessing the father beating the mother during childhood is a predictor of victimization and perpetration of violence against his wife in adulthood. Childlessness, longer marital duration, having more children, extended family and large family size have been associated with victimization and perpetration of domestic violence.

In addition, the age-old custom of dowry and gifts for husband and in-laws has been found to be strongly related to violence against women in India.

4. Gender norms promoting discrimination

Further, gender norms and traditional practices perpetuate gender inequality, thereby promoting gender inequality. Gender socialization which teaches boys to be loud and aggressive and girls to be docile and submissive also promotes discrimination. It teaches boys to be violent and girls to be survivors.

TYPES OF VIOLENCE

1. Child abuse and neglect

Some girl children are abused and neglect physically, mentally and psychologically. The repercussions of this are both physical and mental injuries. Child abuse is related to parental stress, poor impulse control, and social isolation, as well as to factors such as poverty and lack of social capital. In some countries/regions of the world there is a preference for boys, leading to the neglect of girls, in response to longstanding cultural traditions favoring males. Due to preference of male child, there are occurrence of female foeticide and female infanticide.

2. Female genital mutilation

It is one of the most painful practices where girls' genitalia are mutilated. It is the ritual cutting or removal of some or all of the external female genitalia. It has been taking place. Two million/year undergo female genital mutilation (FGM) in the world. It takes place in 28 countries in Africa, in some regions of Asia and the Middle East and in certain immigrant communities in North America, Europe, and Australia. FGM can lead to death, infertility, and long-term psychological trauma combined with increased physical suffering to girls and women.

3. Intimate partner violence

One of the most common types of violence against women that exists in all societies and among rich as well as poor women is violence by an intimate male partner or former partner. The term intimate partner violence refers to the abuse taking place usually between husband and wife, or between other present or former cohabiting partners, and some also include boyfriends and girlfriends in this definition. Other terms that are often used to describe intimate partner violence include: domestic violence, battering, wife/ spouse/partner abuse. Intimate partner violence against women can be exercised either as physical, sexual, psychological violence, or any combination of these. Wife battering has been used to describe a

chronic syndrome characterised not by single episodes of violence but by repeated acts of physical, psychological, and emotional abuse used by men to control their female partners. Some authors include battering as a separate category of partner abuse distinguished from physical assault by its longstanding, continuous nature, and battering has been defined as "a process whereby one member of an intimate relationship experiences psychological vulnerability, loss of power and control, and entrapment as a consequence of the psychological and/or moral force".

4. Rape

Rape is one of the most common crimes in India and worldwide which causes harassment to women physically as well as mentally. Sexual harassment like molestation, eve-teasing, child sex abuse, rape, marital rape and domestic violence on women is a common issue in India. According to the section 375 of Indian Penal Code, Rape can be described as the unlawful intercourse done by a man with a helpless woman. Due to such kind of activities, a woman lives a pathetic life which causes fear, depression, guilt complex, suicidal action and other kind of social stigma that humiliates women for their entire life.

5. Dowry

Dowry is the payment to be made to the groom's family to marry away a daughter, and it takes different forms in different cultures. However, the size of the dowry is a common reason for disputes between the families, with the groom's family demanding more than the bride's family can offer, resulting in harassment of brides and also dowry related deaths, particularly in certain parts of India and other southern Asian countries. This violence is exercised not only by the husband but also by the husbands' close relatives (mother, brothers, sisters).

6. Acid attacks

In India, acid attacks on women are found to be on the rise. It is estimated that there are over 200 acid attacks each year. Sulfuric acid attacks have emerged as a cheap and readily accessible weapon to disfigure and sometimes kill women and girls for reasons as varied as family feuds, inability to meet dowry demands, and rejection of marriage proposals.

7. Honour killings

This is the murder of a woman, usually by a brother, father, or other male family member, because she has allegedly brought shame to her family. This phenomenon is rooted in the notion of male honour and female chastity that prevails in many countries in the Eastern Mediterranean region. It means a man's honour is linked to the perceived sexual purity of the women in his family. If a woman engages in sex outside marriage or even if she is raped, she is thought to disgrace the family honour. In some societies, the only way to cleanse the family honour is by killing the woman/girl.

8. Elder abuse

Mistreatment of older people, taking place in the home or at care institutions, is being referred to as elder abuse and has been defined as: "a single or repeated act, or lack of appropriate action, occurring within any relationship where there is an

expectation of trust, which causes harm or distress to an older person". Elder abuse was first identified in developed countries, where most of the existing research has been conducted but reports from developing countries have shown that it is a universal phenomenon.

Women have always been discriminated against and have suffered injustice in silence. Self-sacrifice and self-denial are their nobility and fortitude and yet they have been subjected to all inequities, indignities, inequality and discrimination. Women have been enjoying a unique position in every society and in every country of the world. In spite of their contribution in all walks of life, they have suffered from disadvantaged positions on account of several barriers and impediments. India, being a country of paradoxes, is no exception. Empowerment and equality are based on the gender sensitivity of society towards their problems. The intensification of women's issues and right movement all over the world is reflected in the forms of various conventions passed by the United Nations. These international protections have helped in the articulations of feminist ideology. Gender equality, as an ideal, has always eluded the constitutional provisions of equality and is always supposed to be between equals and since the judges did not concede that men and women were equal, gender equality did not seem to be a legally forbidden inequality. Protection of Women from Domestic Violence Act (2005) is a comprehensive legislation to protect women in India from all forms of domestic violence. It also covers women who have been/are in a relationship with the abuser and are subjected to violence of any kind—physical, sexual, mental, verbal or emotional.

National Commission for Women Act (1990) provided for the establishment of a National Commission for Women to study and monitor all matters relating to the constitutional and legal rights and safeguards of women.

The Dowry Prohibition Act, 1961 section 3 specifies that the penalty for giving or taking dowry does not apply to presents which are given at the time of a marriage to the bride or bridegroom, when no demand for them have been made.

Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (2013) provides protection to women from sexual harassment at all workplaces both in public and private sector, whether organised or unorganized.

Gender discrimination is a global issue and violence against women is not only a crime but also a violation of women's human rights; rape or sexual violence for instance is not only an affront to the chastity of womankind but also a profound violation of her bodily integrity, security, and freedom from discrimination. Human beings are not the same and they differ in many ways however the human rights norms aim to provide a common understanding to individuals that they have equal rights. Human rights are rights that exist as an essential element which is equally entitled without any discrimination to all human beings. According to Article 2 of the UDHR, 'Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as, race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other

status' (Smith 2012: 214; Brownlie 2010: 40). However, the significant statements regarding the right to be free from sexual violence is enshrined in the international human rights law under, the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic (ICESCR), Social and Cultural Rights and the Convention of the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979. The UDHR Article 3 and 7, states that "Everyone has the right to life, liberty and security of person" and "All are equal before the law and are entitled without any discrimination to equal protection of the law" (Brownlie 2010: 41). The Article 9 of the ICCPR refers to the same statement as UDHR Article 3, moreover the Article 7 mentions that 14 "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment" (Brownlie 2010: 390-392). "In the ICESCR Article 3 it says that 'The State parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant'" (Brownlie 2010: 372). The Convention on the Elimination of All Forms of Discrimination (CEDAW) is the UN treaty that specifically mentions women's basic right to equality and demands the states parties to take positive measure to fight against the prevalence of gender discrimination.

Violence against women and girls is a grave violation of human rights. Its impact ranges from immediate to long-term multiple physical, sexual and mental consequences for women and girls, including death. It negatively affects women's general well-being and prevents women from fully participating in society. Violence not only has negative consequences for women but also their families, the community and the country at large. It has tremendous costs, from greater health care and legal expenses and losses in productivity, impacting national budgets and overall development.

References

1. Ahuja Ram, Crime Against Women, Rawat Publications, Jaipur, 1987.
2. Ahuja Ram, Violence Against Women, Rawat Publications, New Delhi, 2003.
3. Banerjee Mahasweta, Dowry: A Curse for Women and Society in Karabi Sen(ed). 'Her Story', Prajna Publication, Calcutta, pp 533, 1985
4. Barlow, H.D, Introduction to Criminology, Harper Collins, New York, 1990.
5. Bolton, F.G and S.R Bolton, Working with Violent Families: A Guide for Clinical and Legal Practitioner, Sage Publication, Newsbury Park, 1987.
6. Das, Purdahs, The Status of Indian Women, Ess-Ess Publications, New Delhi, 1999, pp 173-176.
7. Ghosh, SK, Women and Crime, Ashish Publishing house, New Delhi, 1993.
8. Mies, Maria, Indian Women and Patriarchy, Concept publication, New Delhi, 1980.

9. N. Prabha Unnithan, Crime and Justice in India, Sage Publications, California, 2013
10. Pamela Davies, Peter Francis, Chris Greer, Victims, Crime and Society, sage publications, London, 2007.
11. Pedel G,P.G.Jaffe and J.L. Edleson, Ending the cycle of Violence, sage Publications, Newsbury Park, 1995.
12. R. Emerson Dobash, Russell P. Dobash, Rethinking Violence Against Women, sage publications, United kingdom, 1998.
13. Shirwadkar, Swati, Human Rights Issues, Actions and International comparison, Rawat Publications, Jaipur, 2000.