

Women Violence Verses Women Rights

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Abstract

In the present era many issues regarding the upliftment of mankind are in swing. But the one issue which emerged as a very vibrant issue is "Human Rights". It was undoubtedly accepted as an ideology. The process of human rights took a definite shape gradually in the past and some important resolutions and decisions such as Magna Carta in England, Petition of rights and US declaration of independence in 1776, followed by the bill of rights embodied in the US constitution in 1791, and the French declaration of rights of man was also the remarkable achievement.

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Introduction

India is a nation where the cultural history can be traced back to thousands of years. It is very much clear from all the available facts that in the early Vedic period, the women folk occupied the same position as their male counterpart. At that time, the women achieved a very grand status of learning and culture and they made progress in all spheres of life. The status of women at that period can be predicted with the fact that a man cannot perform any religious rites without his wife. In the words of Manu, whom we consider as the first person to codify laws that “**where women are verily honoured, there the gods rejoice**”. The influence of women is marked in every page of Indian history, right from the early remote periods. But, in the subsequent period of time, instead of glorifying the status of women, the rights and privileges and in this way, the status of women started getting deteriorated.

In the present era many issues regarding the upliftment of mankind are in swing. But the one issue which emerged as a very vibrant issue is “Human Rights”. It was undoubtedly accepted as an ideology. The process of human rights took a definite shape gradually in the past and some important resolutions and decisions such as Magna Carta in England, Petition of rights and US declaration of independence in 1776, followed by the bill of rights embodied in the US constitution in 1791, and the French declaration of rights of man was also the remarkable achievement.

The signing of UN Charter marked the formal realization of that the human rights is a matter of concern. One of the purposes for which for which the UN was formed to achieve international cooperation in promising and encouraging respect for the human rights and for the fundamental freedom for alwithout distinction as to race, sex, language or religion etc. Even after the formulation and implementation of human rights and various other legal rights and laws in order to stop crime against humanity and especially the women folk, the crime rate either at the national level or international level are really alarming.

In this modern era of 21st century, when every nation especially our India is boosting itself at every arena that it is very near to become a global superpower. But if we see the crime against half of our population, then a very sorry figure appears. So the question is what is the violence against women, its causes and its probable solutions. Thus, **Violence against women (VAW)**, also known as **gender-based violence**, is, collectively, those acts that are primarily or exclusively committed against women.

Types of violence against women

Women have become a prominent topic of discussion in India in recent years

Politicians and media have placed great focus on the issue due to increasing trends last few years. According to the national crime records bureau of India, reported incidents of crime against women increased 6.4 during 2014 and crime against a women is committed every three minutes. 65% of Indian men believe women should tolerate violence in order to keep the family together and women sometimes deserve to be beaten.

(1) Dowry deaths: - A dowry death is a murder or suicide of a married women caused by a dispute over her dowry. In some cases husbands and in laws will attempt to extra a greater dowry through continuous harassment and torture which sometimes results in the wife committing suicide. The majority of these suicides are done through hanging, poisoning or self immolation. When a dowry death is done by settling the women on fire, it is called bride burring, bride busing murder is often set up to appear to be a suicide as accident. Dowry is illegal in India, but it is still common practice to give expensive gifts to the groom and his relatives at wedding which are hosted by the family of the bride women are not always the only primary victims of dowry death. In some cases children are also killed along side their mothers.

(2) Honour Killings: - An honour killing is a murder of a family is one of the most common crimes against women in India. Victims of rape are increasingly reporting their rapes and confronting the perpetrators. Women are becoming more independent and educated, which is increasing their likelihood to report their rape.

Although rape are becoming more frequently reported, many go unreported or have the complaint files withdrawn due to the perception of family honour being compromised. Women frequently do not receive justice for their rapes, became police often do not give a fair hearing and medical evidence is often unrecorded which maker it easy for offenders to get away with their crimes under the current laws. Increased attention in the media and awareness among both Indians and the outside world is both bringing attention to the issue of rape in India and helping empower women to report the crime Battering rape includes both physical sexual violence. The majority of marital rape victims experience battering rape. Gange rape is defined as the rape of an individual by two more perpetrators. Modesty related violence against women includes assaults on women with intent to outrage has modesty and insults to the modesty of women. Member who has been considered to have brought dishonor and shame upon the family. Honour killing include the refusal to enter an arranged marriage, committing adultery choosing a partner that the family disapproves of, and becoming a victim of rape. Honour killings are rooted to tradition and cannot be justified by any major world religion because none of the major world religion

condone honour related crimes. The most prominent areas where honour killing occur in India are northern regions honor killing are especially seen in Punjab, Haryana, Bihar, Uttar Pradesh, Rajasthan, Jharkhand, and Madhya Pradesh.

(3) Female infanticide: - Female infanticide is the elected killing of a newborn female child or termination of a female fetus through sex selective abortion. In India, there is a centive to have a son, because they offer security to the family n old age and are able to conduct rituals for deceased parents and ancestors. In contrast, daughters are considered to be a social and economic burden. Female feticide is the elected abortion of a fetus, becausee it is female. Female feticide occurs when a family has a strong preference for sons over daughters, which is a common culture theme is India. Modern medical technology has allowed for the gender of a child to be determined while the child is still a fetus. One these modern prenatal diagnostic techniques determine the gender of the fetus, families then are able to decide if they would like to abort based on gender, if they decide to abort the fetus after discovering it is female, they are committing female feticide. The foetal sex determination and sex selective abortion by medical professionals is a industry.

(4) Sexual Crime :- In this crime, rape, sexual assault, insult to moderty, kidnapping, abduction, cruelty by intimate partner or relatives, trafficking, persecution for dowry, dowry death indecency and all other crimes listed in Indian penal code. Rapes one of the most common crimes against women in India. Victims of rape are increasingly reporting their rapes and confronting the perpetrators. Women are becoming more independent and educated, which is increasing their likelihood to report their rape.

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Forced Prostitution: - This is the way to get income through teenagers. Sometimes, girls are imported and kidnapped for the prostitute. It happens through brokers and mediators.

Domestic Violence: - Domestic violence is abused by male partner against another in an intimate relationship such as dating, marriage, familial relationship Domestic violence is also known as domestic abuse, spousal abuse, battering, family violence, dating abuse and intimate partner. Domestic violence can be physical, emotional, verbal, economical sexual abuse.

Forced Child Marriage: - Girls are vulnerable to being forced into marriage at young ages, suffering from a double vulnerability, both for being a child and for being female. Child brides often were not tormented and thus the country loses a productive asset. Therefore, the nation's production altogether gets affected because of domestic violence in homes. The cumulative effect of the domestic violence at all levels and across all regions is the country's hindered development and slow economic growth. To understand the meaning and responsibilities of marriage. Causes of such marriages include the view that girls are a burden for their parents, and the fear of girls losing their chastity before marriage.

Acid Throwing: - Acid throwing also called an acid attack, is a form of violent assault used against women in India. Acid is the act of throwing acid or an alternative Corrosive substance on a person's body with the intention to disfigure, torture maim or kill. Acid attacks are usually directed at a victim's face which burns the skin causing damage and often exposing or dissecting bone. Sulfuric acid and nitric acid most commonly used for acid attacks. Compared to women throughout the world women in India are at a higher risk of being victims of acid attacks. 72% of reported acid attacks in India have involved women. India has been experiencing an increasing trend of acid attacks over the past decade.

Effect of Domestic Violence on the society:-

Violence against women may keep them locked in homes succumbing to the torture they face. If they come out in open and reveal the wrong done to them for help and rescue, it influences the society both positively and negatively. At one hand where it acts as an inspiration and ray of hope for other suffering women, on the other hand it also spoils the atmosphere of the society. When something of this kind happens in the society, few families may witness the evil of domestic violence knocking their door steps. Some families try to imitate what others indulge in irrespective of it being bad for the family. Women lose interest in household activities. If they are employed they fail to work with full capabilities in workplace children are found to concentrate less on studies. Sometimes, they drop out of school and do not get the education which otherwise they might have got if they

UN Declaration for protection of Women

Which clearly states that “Violence against women is a manifestation of historically unequal power relations between men and women” and that “violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men.

In the year 2006, **Mr. Kofi Annan**, the Secretary-General of United Nations, declared in a report which was published in the **United Nations Development Fund for Women (UNIFEM)** website that:

Violence against women and girls is a problem of pandemic proportions. At least one out of every three women around the world has been beaten, coerced into sex, or otherwise abused in her lifetime with the abuser usually someone known to her.

The violence against women includes violence carried out by “individuals” as well as “states”. In this type of acts the violence perpetrated by individuals include rape; domestic violence; sexual harassment; coercive use of contraceptives; female infanticide; prenatal sex selection; obstetric violence and mob violence; as well as harmful customary or traditional practices such as honor killings, dowry violence, female genital mutilation, marriage by abduction and forced marriage. Some forms of violence are perpetrated or condoned by the state such as war rape; sexual violence and sexual slavery during conflict; forced sterilization; forced abortion; violence by the police and authoritative personnel; stoning and flogging. Many forms of VAW, such as trafficking in women and forced prostitution are often perpetrated by organized criminal networks.

The Council of Europe Convention

“violence against women” is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

In Recommendation Rec(2002)5 of the Committee of Ministers to member states on the protection of women against violence, the Council of Europe stipulated that VAW “includes, but is not limited to, the following”

(a) Violence occurring in the family or domestic unit, including, *inter alia*, physical and mental aggression, emotional and psychological abuse, rape and sexual abuse, incest, rape between spouses, regular or occasional partners and cohabitants, crimes committed in the name of honour, female genital and sexual mutilation and other

traditional practices harmful to women, such as forced marriages;

(b) Violence occurring within the general community, including, *inter alia*, rape, sexual abuse, sexual harassment and intimidation at work, in institutions or elsewhere trafficking in women for the purposes of sexual exploitation and economic exploitation and sex tourism;

(c) Violence perpetrated or condoned by the state or its officials;

(d) Violation of the human rights of women in situations of armed conflict, in particular the taking of hostages, forced displacement, systematic rape, sexual slavery, forced pregnancy, and trafficking for the purposes of sexual exploitation and economic exploitation.

Effect on Indian Society

According to an article in the Health and Human Rights Journal, despite the involvement of many female activist organization and many years of advocacy, the issue of violence against women still “remains one of the most pervasive forms of human rights violations worldwide.” The violence or crime against women is not only bounded to private sphere but its sphere can occur in public also and at any time of their life span. The reasons behind VAW or gender-based violence can go beyond just the issue of gender and into the issues of age, class, culture, ethnicity, religion, sexual orientation and specific geographical area of their origins. In addition to the social and psychological trauma, such violence can also extends into the realm of health issues and become a direct concern of the public health sector. A health issue such as HIV/AIDS is another cause that also leads to violence. Women who have HIV/AIDS infection are also among the targets of the violence. The World Health Organization reports that violence against women puts an undue burden on health care services, as women who have suffered violence are more likely to need health services and at higher cost, compared to women who have not suffered violence. Another statement that confirms an understanding of VAW as being a significant health issue is apparent in the recommendation adopted by the Council of Europe, violence against women in private sphere, at home or domestic violence, is the main reason of “death and disability” among the women who encountered violence. In addition, several studies have shown a link between poor treatment of women and international violence.

Objectives:

1. To find the causes and to increase the issue of gender violence thereby to analyse the causes and factors of violence against women.
2. To assess the violence against women impacts the lives of women victims, their

families and society.

3. To recognize the educational and social strategies in order to address the issue.
4. To share and develop the innovative responses and best practices for elimination and prevention of violence against women.

Violence against Women is a Violation of Human Rights

The Violence against Women is a Violation of Human Rights and fundamental freedoms of women. It is a very big hurdle in the way of gender equality. It is a well known fact that women are entitled for equal enjoyment and protection of all human rights and fundamental freedoms that include among others:

- (01.) The right to life;
- (02.) The right to equality;
- (03.) The right to liberty and security of person;
- (04.) The right to equal protection under the law;
- (05.) The right to be free from all forms of discrimination;
- (06.) The right to the highest attainable standard of physical and mental health;
- (07.) The right to just and favorable conditions of work;
- (08.) The right not to be subjected to torture, or other cruel, inhuman or degrading treatment or punishment.

(UN Declaration on the Elimination of Violence against Women, 1993)

The Violence against women is a social (economy, health, welfare, politics) problem and not a private problem of each individual woman or a family. Violence against women includes marital rape or rape in a relationship, other sexual abuse, sexual harassment at work, trafficking in women and girls with intention of sexual and other forms of exploitation, forced prostitution, abortion of female foetuses and infanticide of baby girls, traditional practices harmful to women such as genital mutilation, forced or too early marriage, widow burning, honor killing, acid attacks, stoning, war rape, and other. The violence against women is mostly the result of gender inequality within society and of existing structures of power in gender relations. It is rooted in cultural patterns, especially in harmful influences of particular traditional practices or customs, education systems, religious beliefs and media influences. It perpetuates gender inequality and stands as a big hurdle in the achievement of equality, development and peace. These types of violence are an additional reason for poverty and their children. Decrease of violence in society is a long term aim, achievable through individual daily efforts for non-violent behavior and peaceful resolving of conflicts, and by sharing necessary and appropriate knowledge with the community.

That way one can stop harmful (abusive) patterns of behavior being handed down from generation to generation. It is important to strive towards creation of social climate with no tolerance for violence against women or any other form of violence. The conviction that violence against women is not acceptable should become generally accepted norm. It is necessary to provide women with effective protection from violence, and to give clear message to perpetrators of violence that they will be punished according to the law for causing violence.

Solution to Prevent Violence against Women

For hundreds of centuries, women folk have had the responsibility without power- but their male counterpart have had the power without responsibility. In an age driven by change, the issues of women are not exempted from impact. As the pressure on redressing women's issues gains momentum, the trend will go towards momentum. It is the need of the hour to seek measures in order to enhance the status of women and inturn to stop the violence against women. In my opinion, education is the biggest weapon to sort out the menace of atrocities against women. Because, education is a value in itself as it proves very helpful in developing the personality and rationality. Education gives an essential qualification to fulfill certain economic, educational and political functions, and in this way, her socio economic status increases like anything. It is very helpful in reducing the inequalities in society. In addition few more measures are very helpful in enhancing the status of women in our nation and world as a whole.1. In our society, women should have an easy access to legal authorities and representations and they should have opportunities to pursue justice against perpetrators of violence through the formal legal system.2. In schools and colleges, the gender equality should be promoted and widen access to education for girls is to be given. It is a fact that girls who are enrolled in schools are less likely to be married early and therefore their chances of pregnancy are also lessened. If the girls obtain higher levels of education, they are more likely to find employment and become empowered as a result of their financial contributions to the family and community.3. The early forced marriage and premature pregnancy which is a very leading cause of death of girls between the age group of 15 to 19 years has to be stopped. Many programmes such as *ApniBetiApnaDhan (ABAD)*, which offer conditional cash transfers to incentivize families to delay their daughter's marriages, will likely help reduce arranged marriages and allow girls to develop both physically and mentally before marriage and child-birth.4. **Bring greater attention to violence** that is perpetrated by a partner or spouse. Stella Mukasa, Director of Gender Violence and Rights at ICRW, told the story of a woman who was forced by

her husband to breast feed his dog's litter. When she sought help from the community, her claim was ignored because abuse from a spouse was not considered to be a violation of a woman's rights.⁵ **The traditional and old marriage laws that are institutionally biased against women**, particularly those that deny women custody over their children, inheritance, and land rights in cases of death, separation or divorce should be revised in the present context. For example, the revised national constitution in Kenya has brought about unprecedented rights for women, including the right to oversee property-related transactions, manage family land and resources and retain a portion of land to live on and cultivate if widowed or divorced. Thus, we have to create an atmosphere where a wind of freedom, respect and dignity for women in the eyes of their male counterpart blows in every nook and corner of the world. Then only we will speak with pride and honour that we are living in an era of modernity with our long lasting culture.

Conclusion

It is clearly evident that the plea of violence against women is very much endemic in India. Because, the women in our country are highly vulnerable as they are leading a poor quality of life indicated by rampant poverty, lack of education, high under five mortality, poor health status, high fertility rate and high maternal mortality rate. In addition, violence against women is a societal mindset about women that has not changed much. Violence is perpetrated on women both inside and outside her home. The government and voluntary organizations are formulating many legislative measures to make efforts towards ending or minimizing violence against women but their implementation remains tardy, because of insensitive nature of lower level government functionaries. The NGOs are also taking both preventive as well as reactionary measures but their efforts suffer from paucity of funds and infrastructure. Therefore, the education of girl child is the first step towards a better society with fewer incidents of violence. Campaigns aimed at men and boys to increase awareness and change attitudes about gender inequality are also effective tools.

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