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A STUDY OF GENDER BASED VIOLENCE IN INDIA

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Abstract: In Indian society, woman occupies a vital position and venerable place. The Vedas glorified women as the mother, the creator, one who gives life and worshipped her as a ‘Devi’ or Goddess. But their glorification was rather mythical for at the same time, in India women found herself totally suppressed and subjugated in a patriarchal society. Religion, customs, age-old prejudices, etc. have put Indian women in a subservient and exploitable position in many domains of life. Low rates of participation in education, lack of economic independence, value biases operating against them, etc, have resulted in the women being dependent on men and other institutions of authority like the family, neighbor and the society. They are usually ignorant of their rights and even if they are not, they have very less access to justice. The issues related to women are being raised and discussed in various for a, in the recent times. Of these, ‘violence against women’ is gaining more and more support and recognition, the world over. But despite the enactment of laws, formulation of reformatory legal processes, provision of legal aid to the needy, extensive use of the provision of Public Interest Litigation, conduct of Family Courts, Women/Family counseling centers etc., women in India have a long way to go in concretizing their Constitutional Goals into reality. The present paper is an attempt to identify the causes of the social menace and finding the hardcore reality.

Keywords: Gender, Violence, Economic position, Global scenario.

I INTRODUCTION

In ancient India, women enjoyed a significant role not only at home but in the society as whole. Many a Vedic hymns are attributed to the woman sages. The kings and the priests always held and propagated that the prosperity depends upon the respect that a household shows towards the women and the Kingdom would be visited by inauspicious events in case the woman was harassed by the subject.

To protect the honour and chastity of the women became a major societal aim for the local population. The purdah system became in vogue for Indian women. A series of superstition and oppressive customs were manufactured that confined women within the four walls of their house. The status of women was reduced to the status of a maid, and merely a source of progeny. The patriarchy dominance was at its peaks. The male dominant society would not give women due regard and respect and the system continues to linger in the twenty first century. Every day we hear and read about atrocities inflicted upon women by their own husbands for whom they live and die.

Women in Indian society face the double dilemma, they are vulnerable as well as strong in certain aspects. They are glorified by Vedas as creator, the mother who is responsible for the continuation of human race but this glorification is shattered by the fact that she is suppressed in the patriarchal society dominated by males. Lower rate of participation in education, restricted participation in economic decisions, undue control of their life by the immediate family, neighborhood and the society at large are major hindrances faced by her. Despite of the legal protection audible, the situation is gruesome.

In ancient Indian society women were having a significant role in home as well as in the society. Many of the Vedic hymns were attributed to her. The Shastras proclaimed that prosperity of a state depends on the respect it adheres to its females. Protection of honour and chastity of the women became a major goal of the society. The male dominated society but slowly last its regard for the women and they are victimized by them and reduced to the source or progeny. The torture for dowry, molestation, rape and other crimes against women have become a regular feature of Indian

society. Girls especially in the rural areas are not encouraged to take education after middle level of education.

Gender based violence is one of the most common social evil prevailing in the developing countries. The society based evil customs hinder the natural growth and development of the females. It is an ill fate what women in Indian are ill treated by the males of the society. She is forced to admit to the desires of the males. It is a hard reality that she is deprived of her independent identity. She is not only outraged by the males, out of the four walls of her house but also within the so called secure place of her four-walled home.

She is deprived of her happiness by inhuman art like bride burning, dowry death, cruelty against her and torture. She is forced to abort the child if it is girl child. She is always on the verge of peril.

The concept of violence against women within the family is deeply embedded in Indian society. In India, marriage results on networking of intending individuals and it is rarely a personal relation between man and a woman. The families control the exchange the dowry and according to reports of National Crime Records Bureau Report 90 percent of the domestic crime against married women are related to dowry deaths.

This phenomena of violence against females is also the result of the belief that man can exercise control on their bodies. This thinking is deep rooted that males are superior race. Violence is a sanctioned too by which males try to control females and their aspirations.

II GLOBAL SITUATION: A CAUSE OF WORRY

Gender based violence that threatens the well being, rights and dignity of women has only recently emerged as a global issue extending across regional, social, cultural and economic boundaries. According to state statistics, about 18% of women are being sexually abused in the U.S. According to the UN Report on violence against women, the condition in other developed countries such as Denmark, Germany, Spain, Switzerland, and the United Kingdom etc. is no better. In the U.S., the Department of Justice reported that, every year; 3-4 million women are battered by their husbands or partners. Even in Sweden, which ranks high in the gender-related index, 66% of the 18650 reported cases of violence on women in 1996 were of domestic assault. Further 45% of 681 offences of homicide recorded in England and Wales in 1996 involved women killed by their spouses or lovers. (Joshi 2002)

The data from developing countries like Antigua, Barbados, Columbia, Chile, Ecuador, Guatemala, Sri Lanka and others reveals widespread prevalence of physical and sexual abuse on women. In a study of 796 women from Japan carried out by Domestic Violence Group (1993) 59%

reported physical abuse, 66% emotional abuse and 60% reported sexual abuse. Studies from African countries, Kenya, Uganda and Tanzania reveal that 42% women are subjected to physical abuse at their homes. In China, a conclusive evidence of wife battering has been reported among 57% women. (Joshi 2002)

The Universal Declaration of Human Rights and Convention on Elimination of all forms of Discrimination against Women (CEDAW) do enforce certain special rights and privileges for women. But it is amazing that only 44 countries have laws against domestic violence. Only 17 countries have made marital rape a criminal offence & only 27 countries have passed laws on sexual harassment.

III THE INDIAN SCENARIO : THE GRIM SITUATION

The cherished womanhood, which has been extolled since long, had been eroded away with the influx of foreign and modern culture. Over the years, worldly pursuits have occupied maximized proportions because of which the traditional culture is withering away. The happiness and solace in the family have been snatched away by heart breaking acts like bride burning, dowry deaths, torture, cruelty and so forth. Even the female embryo is subjected to homicidal torture. The right of the female child is always staked to peril.

The phenomenon of violence against women within the family in India is complex and deeply embedded. In India, marriage establishes a network of interacting individuals, and is rarely only a highly personal relationship between a man and a woman. An important part of the power relationship between spouses and indeed their families relates to dowry and its ramifications (Sharma 2002a). According to National Crime Records Bureau report 1998 (Table 3), 2371 cases of suicides were related to dowry disputes. A study of dowry victims in Delhi reports that in a sample of 150 dowry victims, one fourth were murdered or driven to commit suicide and more than half (61%) were thrown out of their husband's house after a long drawn period of harassment and torture. The study, reports Dowry related killings, to follow two patterns, first, the young brides were either murdered or forced to commit suicide (18.4%) when their parents refused to concede to continuing demands of dowry and second, the murders were committed on the pretext of 'complex family relations' or extra-marital relations (52.6%). (Nigam 2002).

The phenomenon of violence against women arises from patriarchal notions of ownership over women's bodies, sexuality, labor, reproductive rights, mobility and level of autonomy. Deep-rooted ideas about male superiority enable men to freely exercise unlimited power over women's lives and effectively legitimize it too. Violence is thus a tool that men use constantly to control women as a result of highly

internalized patriarchal conditioning coupled with legitimacy for coercion to enforce compliance and increasing aspirations, frustrations and 'might is right' becoming a legitimate view and increasing need for assertion of individual egos and control. Within this context, several developments serve as a backdrop to the discussion and analysis of increased violence against women.

**IV TABLE
FACTORS THAT PERPETUATE DOMESTIC
VIOLENCE**

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| <p>Cultural</p> <ul style="list-style-type: none"> • Socialisation which is gender specific. • Culturally defined sex roles. • Roles expectation within relationships. • Believing that males are superior. • Property rights to male. • Control of family by males. • Marriage Customs. • Accepting violence as means to resolve conflict. | <p>Political</p> <ul style="list-style-type: none"> • Under presentation of women in politics and in media. • Domestic violence not seriously taken. • Family being taken as private unit. • Religious factors. • Women not organized politically. • Not admitting the political superiority of women. • Women not been considered as administratively superior. |
| <p>Economic</p> <ul style="list-style-type: none"> • Dependence of women on men economically. • Limited areas to cash and credit. • Issue of maintenance after divorce and being widow. • Discriminatory laws replaced with property. • Limited access to employment. • Lack of professional education. | <p>Legal</p> <ul style="list-style-type: none"> • Less legal status to women either in theory or in practice. • Faulty laws regarding divorce, child custody. • Legal definitions of rape and abuse being conservative. • Less legal awareness among women. • Insensitive treatment of women and girls by administration and judiciary. • Less accessibility to justice. |

VI CONCLUSION

There are various causes which spark the violence within the four walls of homes and they need to be analysed carefully. By studying these factors and finding the possible solutions, the violence against women can be curbed. A proper socio-legal environment has to be ensured to protect the women from domestic as well as other forms of violence. The problem of violence against women has to be taken in a wider context and it cannot be viewed in isolation from the situation of women in the society. Women should be motivated to raise their voice against this social menace and they should be economically independent to fight back this social crime.

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