

# **Violence Against Women: A Stumbling Block for Empowerment**

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## **Abstract**

Violence against women is a violation of Human Rights and denial fundamental freedom of women. It is a global phenomenon in both public and private domains, instilling fear and insecurity in the lives of women. Though some types of violence against women have long been considered as criminal acts, it was only recently that violence against women has been recognized as a violation of basic human rights. Violence against women is compounded by discrimination and cuts across all racial, social, cultural, economic, political and religious spectrums. Despite the widely accepted wisdom on the importance of women's participation in innovation and in knowledge economy, the matter is sometimes overshadowed by other serious gender related issues that demand full attention of policy makers. It is essential to uproot the social and cultural stigma imposed on women. This research paper attempts to highlight the need for eliminating gender discrimination and increasing women's influence in every sphere of nation building in the current scenario from the Human Rights perspective.

**Keywords:** Human Rights, Crime, Violence, Gender Discrimination.

## **Introduction**

Violence against women represents a serious violation of human rights and remains one of the greatest challenges to achieving gender equality. Girls and young women and particularly vulnerable to various forms of violence, which leaves deep and long term impacts on their lives, stifling their potential to grow, lead, prosper and thrive. Gender-based violence against women as a human rights violation entails an important conceptual shift. It means identifying the fact that women are not exposed to violence by accident or because of an in-born vulnerability. Instead, violence is the result of structural, deep-rooted prejudice which the state has an obligation to

address. It is a legal and moral precondition requiring legislative, administrative and institutional measures and reforms and the eradication of gender stereotypes which disregard or be responsible for gender-based violence against women and support the structural inequality of women with men. Noteworthy progress has been made in many countries around the world. Inclusive legal frameworks and specific institutions and strategies have been implemented to promote women's rights and protect women from violence. There is growing consciousness of the nature and impact of violence against women around the globe. Yet, the statistics on occurrence of violence against women are frightening. According to data by the World Health Organization, one third of women globally experience violence at least once in their lifetime. There are many impediments to women's access to justice, resulting into widespread impunity for violence. Considerable efforts are still required to support women's and girls' autonomy and option to ensure the realization of the right of women. Despite some progressive legislative measures, violence against women in India is extensive. Hence an attempt is made to study the impact of violence against women in Indian states by analyzing the official reports.

## **Literature Review**

The violence against women is fairly a result of gender relations that presume men to be superior to women. Violence against women has been evidently defined as a form of discrimination in numerous documents. The World Human Rights Conference in Vienna, recognized gender- based violence as a human rights violation in 1993. In the same year, United Nations declaration, 1993, defined "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or Suffering to a woman, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life". Mitra (2000) in her exhaustive report concluded that as long as there is tolerance of domestic violence toward women in cultural, legal, and political institutions, laws in themselves will not change the situation. Kaur and Garg (2008) in their study pointed out that worldwide there has been an increasing concern about violence against women in general and domestic violence in particular. Also, a study conducted by Campbell (2018) emphasizes the important contribution to that dialogue, arguing that the CEDAW should serve as an authoritative international standard setting exercise that can activate international accountability mechanisms and inform the domestic interpretation of human rights.

There are number of published research works which gives a vivid picture on the issue of violence against women in India. The following literary reviews facilitate to ponder over the facts on this topic. Ahuja analyzed the nature of atrocities against Indian Women in a sociological perspective (Ahuja, 1998). A research study conducted by Kannabiran and Menon in 2007 discussed about feminist movements in India with special emphasis on the path of legal reform and the hurdles therein. This study is supported by Datta in 2010, which focused on the instances and

analysis of violence against women in India by modern feminists. A study conducted by Dubey in 2018 reflected on what makes India unsafe for its women and with statistical data she brings out the hard truth of brutality on Indian women. Unnithan and Nalla (2018) revealed the cultural myths and practices that underlie the problem. The research study by Sharma in 2019 focused on the instances of rape of women from 1972 to 2018. It is after reviewing the aforementioned research studies the researchers have found that these studies have given a worldwide overview of violence against women. Hence, the present study focuses on impact of crime in Indian States.

## **Objectives**

- To review various violence activities against women
- To discuss the stumbling blocks of women empowerment

## **International Documents for the Protection of Women**

Equality is the keystone of every democratic society, which aspires for impartial societal and individual justice. The true equality can only emerge from efforts directed towards addressing and correcting the socio- political and cultural imbalances. It is with this broader view of equality, which has become the fundamental principle and final goal in the struggle for recognition and acknowledging the Human rights of women. Furthermore, the violence against women is compounded by discrimination on the grounds of race, ethnicity, sexual identity, social status, class, and age. Such numerous forms of prejudices further confine women's choices augments their vulnerability to violence and make it even harder for women to acquire justice. It is an expression of historically and culturally specific values and standards, which are today still implemented through many social and political institutions that foster women's subservience and discrimination against them.

Universal Declaration of Human Rights (1948), the International Covenant on Civil Economic, Social and Cultural Rights (1966), the International Covenant on Civil and Political Rights (1966) and the two operational protocols to the latter covenant together constitute the document known as the International Bill of Human Rights. The Universal Declaration of Human Rights is a common standard of achievement for all the people and to all Nations. The preamble of this declaration states that "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom and peace in the world". In furtherance, the Article 1 emphasizes "All human beings are born free and equal in dignity and rights"; everyone is entitled to all the rights and freedom set forth in this declaration without distinction of any kind, such as race, colour, sex religion, birth etc". However, in practice women in India face demographic imbalances. This is partly due to discrimination and it tends to regard them as inferior and of lower

order. It is mainly due to the existence of patriarchal society, wherein male's achievement is measured in terms of wealth, promotion and upward mobility; for women they are evaluated in terms of domestic skill, declaration, management of the self and household. Hence, the very idea of non-discrimination of Human rights is often gets defeated.

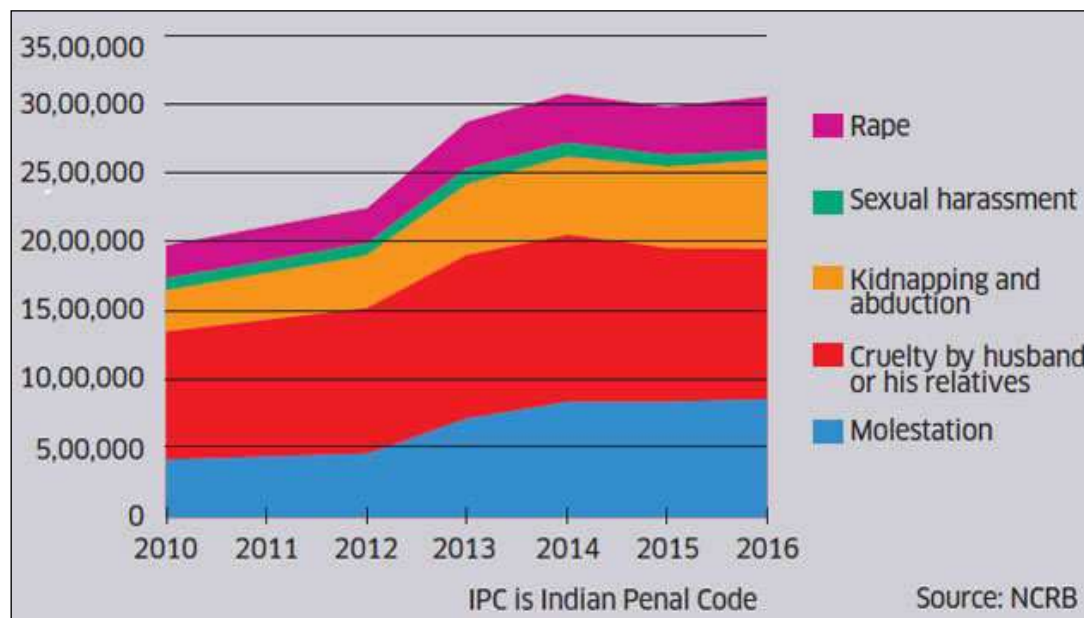
The International Covenant on Economic, Social and Cultural Rights, 1966 recognize "the rights of everyone to the enjoyment of just and favorable conditions of work which ensure in particular fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work". The Political and Social freedom have been granted so liberally to Indian women and training schemes and wider educational opportunities are also initiated. The free Indian atmosphere witnessed entry of women into non- traditional professions like Army, Navy and Air force. Despite this encouraging factor, there is no labour legislation in India to regulate the working conditions of women labourers in small industries, unorganized sectors and domestic services. Moreover, the differentials in wage rate for men and women are still continuing more particularly in the plantation region.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is perhaps the first time an International covenant radically challenges the violence against women. Thus, in January 1992, the U.N committee on the Elimination of discrimination against women adopted the following recommendation: "Gender based violence is a form of discrimination which seriously inhibits women's ability to enjoy rights and freedom on the basis of equality with men". The Vienna Declarations of Human Rights in 1993 (Para 18 and Para 38) deemed violence against women as a violation of human rights. It recognized the egregious nature of violence against women and its human rights dimensions, paving the way of international recognition on the issue. Besides all the above conventions, many legislation such as *Suppression of Immoral Traffic (Prevention) Act, 1956 (SITA)*, *Dowry Prohibition Act, 1961*, *Indecent Representation of Women (Prohibition) Act, 1986*, *Sati Prevention Act, 1987*, *Protection of women from Domestic Violence Act, 2005* and *Sexual harassment of women at workplace prevention Act, 2013* were passed to eradicate this problem. But even after Golden Jubilee Celebration of India's Independence it is disheartening to note from the statistics given by the National Crime Records Bureau (NCRB). "A Woman is raped somewhere in India every 29 minutes, a molestation takes place every 15 minutes, one kidnapping or abduction every 23 minutes, one act of sexual harassment every 53minutes, one dowry death every 77 minutes and one act of criminal offence against women every 3 minutes". In spite of international efforts and constitutional protection sheltered in the constitution of India and punishment provided under the various laws, there is no perceptible change or decline in respect of crimes committed against women. It is an irony of

fate that the protector of women, such as inmates of the house including the husband, policemen and legislators have been periodically reported to have indulged actively in committing crimes against women.

### Crimes Against Women in the Current Scenario

As per NCRB report indicated below, the crimes against women have risen to more than 5 percent from 5.12 percent in 2017 to 11.6 percent in 2018. Uttar Pradesh has reported the most crimes against women (59,445). Maharashtra (35,497) is second, leading in crimes. West Bengal (30,394) ranks third, followed by Madhya Pradesh (28,942) and Rajasthan (27,866). These five states account for almost half of entire crimes committed against women across the country over the years. Majority of cases under crimes against women out of total IPC crimes against women were registered under ‘Cruelty by Husband or His Relatives’ (31.9 percent) followed by ‘Assault on Women with Intent to Outrage her Modesty’ (27.6 percent), ‘Kidnapping & Abduction of Women’ (22.5 percent) and ‘Rape’ (10.3 percent). The crime rate per lakh women population is 58.8 in 2018 in comparison with 57.9 in 2017. An average of 91 rapes was reported every single day across the country in 2018. The crime rate per lakh women population was 58.8 in 2018 compared with 57.9 in 2017.



Although, women may be victims of any of the general crimes such as ‘Murder’, ‘Robbery’, ‘Cheating’, etc. only the crimes which are directed specifically against women are characterized as ‘Crimes Against Women’. The various legislations have been introduced and amendments made in existing laws with a view to handle these crimes effectively. Despite the execution of above mentioned legislations, a

total of 3,78,277 incidents of crime against women were reported in the country during the year 2018 as compared to 3,38,954 incidences in the year 2016 recording an increase of 10.39 percent during the year 2018. The IPC component of crimes against women has accounted for 58.8 percent of total crimes.

In the current scenario, Cybercrimes are targeted against women with a motive to intentionally harm the victim, using modern telecommunication networks such as the Internet Chat rooms, emails, notice boards and mobile phones (SMS/MMS). Harassment via e-mails, Cyber-stalking, Cyber pornography, Defamation and Morphing are some of the cybercrimes. Total of 6030 Cybercrimes cases reported in the country during 2018 and from state of Tamil Nadu 77 cases were reported. On the other hand, women are involved in wide varieties of crimes like murder, theft, adultery, kidnapping, black-mailing, smuggling, dacoity, illicit distillation, drug trafficking, prostitution. The pattern of crime varies from place to place and time to time. It is disheartening to note from the official statistics of NCRB in 2018 that women convicts are higher in states like Tamil Nadu (13,614), wherein crimes act as barriers to their empowerment and establishing equality in terms of gender, Maharashtra (8,920), Bihar (4,941) and Madhya Pradesh (4,834). The most alarming issue is that women convicts are higher in Tamil Nadu occupying the first position when compared to other states at National level.

## **Discussion**

The statistical figures from the data disclose that women of all ages, religion and caste continue to be the victims of sexual violence and dreadful offences ranging from rape, kidnapping, dowry-related deaths, physical and sexual assault to harassment at workplaces, abetment of suicide and indecent representation of women in digital and print media. These crimes act as stumbling block for women empowerment in establishing equality in terms of gender. This is a constant constraint on individual and societal development. According to World Bank Report of 2018, violence against women is estimated to cost countries up to 3.7 percent of their GDP. This amount is more than double of what most governments spend on education.

The observation in accordance with literature review revealed that there are various reasons responsible for crimes committed by women. They can be broadly classified as social, economical, psychological and biological. The Lack of education, competition, conflicts, poverty, cultural norms and discrimination are some of the main factors classified under social causes. The economic causes include desire to acquire more and easy way of accumulating wealth, extravagance, murder for gain, ownership and urbanization. Also, these crime causal are listed under psychological imbalances, emotional instability, neurosis and psychosis. In addition to this, insanity, hormonal changes, defective nervous system etc. are some of the biological causes. There are specific reasons like selfishness,

disobedience, narrow mindedness, suspicious nature and illegitimate relationships have also contributed their share to female crimes. Moreover, the violence against women also creates a greater impact on their life in the way it hampers her ability to work, affects their enjoyment of sexual and reproductive health rights, barrier to independent status, physical and psychological sufferings, serious health problems and leads to death. The fact that high rate of incidence of crime may be due to the extreme poverty prevalent in the southern states in general and Tamil Nadu in particular compared to other prosperous states in the north of India. It is also revealed by the survey that women are induced to commit a crime for reasons of sustenance and survival. On the other hand, women also take advantage of the fact that she being a woman would hardly be suspected by the society that she is and capable of committing the crime.

The violence against women in India invariably turns on particularly high-profile cases. For instance, Nirbaya case, whereas such incidents elevate these issues from obscurity and raises up the public pressure for action. Simultaneously, women are acting individually, taking new measures to protect their personal safety. The attacks on women need to be understood in the context of a culture that condones violence and links the vulnerability of women directly to their undervalued status. Hence, violence against women considered as stumbling block for women empowerment. Furthermore, enhancing gender parity and ensuring timely justice will be crucial to reducing their victimization for the long term.

## **Suggestions**

The violence against women requires a multi-pronged effort. It requires increasing the responsiveness of women regarding their rights, but more importantly providing a strong support system for women in distress. Education through mass media, schools and informal groups must emphasize women rights. Simultaneously, reorient boys and men to their responsibilities and obligation respectively to treat women as equals by providing independent means of livelihood for women. Also, playing down the notion of marriage as the only destiny for women and equalizing power relations in the hierarchical family structure to accompany other efforts. The sensitization of public by the initiatives of government will undoubtedly pave the way for decline of crime rates in a country like India. We need more women representatives in the government. The existence of women at all government levels lead to a better depiction of their concerns in policymaking, which is also more likely to lead to higher economic growth. Moreover, the various strategies need to be implemented such as anti-discrimination and gender-based violence legislation, gender awareness campaigns, increasing system accountability, providing legal remedies, including compensation, formulating prevention strategies and institutional cultures, eradicate harmful stereotypes social perception, digital consciousness, strict action against child pornography, safe transport and gender sensitization training, counseling, surveillance and increased crime-control

policing and over all addressing the socio- political and cultural imbalances may lead to lower crime rates against women in society.

## **Conclusion**

Gender equality is central to realizing Millennium Development Goals (MDG), wherein it is linked with women's empowerment and seen as a key aspect in the development of a nation. Hence, to establish unbiased gender society and to redress the indiscrimination against women, the society must assure its remarkable participation in every aspect. In this regard, traditional, social and cultural stigma imposed on women should be uprooted from the society. Furthermore, eliminating gender discrimination and empowering women will require enhancing women's influence in every sphere of nation building. The empowerment and advancement of women, includes the right to freedom of thought, conscience, religion and belief. Thus, by contributing to the moral, ethical, spiritual and intellectual needs of women and men, individually or in community with others and thereby guaranteeing them the possibility of realizing their full potential in society and shaping their lives in accordance with their own aspirations. The female Perspectives are crucial to understand the fullest dimensions of human society and facilitating constructive changes. Women must be engaged at all levels to eradicate poverty, promote peace and achieve sustainable development proponents of their rights, healthy partnership between men and women based on equality is a crucial way to foster development, overcome discrimination and construct more prosperous, equitable and harmonious societies.

The empowered women can work to transform existing gender discriminatory laws and procedures. Also, transform the power relations in the family and other social institutions that can help bring about more equitable gender relations within the family and society. There is a sheer necessity for crafting comprehensive Gender Policy at the State and National level outlining the government's commitment to achieving gender equality, gender justice and elimination of gender discrimination. Therefore, a holistic approach is the need of the hour to abate the obstacles in the path of women's empowerment both from Government and within women. The structuring of several schemes as well as programmes for developing and improving the status of women at all levels will foster the women empowerment and their advancements in the society. Women will visualize a new horizon and identify directions and handle tough decisions with ease in the years to come. The realization of true parity between the sexes granted by the constitution will be achieved only when they are driven into the minds of the people. The future women will cross this threshold to listen to their own voices to attain equality in India.

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