

Recorded Society Class 08

1st July, 2024 at 9:00 AM

THE CLASS STARTED (IN CONTINUATION) AT: (09:04 AM):

VIOLENCE AGAINST WOMEN: (09:06 AM):

- **Question:**
- **What are the challenges faced by women across time and space? (10 marks/150 words).**
- **Concept:** Any act of gender-based violence that results in physical, sexual, and mental harm.
- **Statistics:** According to the NCRB, there has been a 4% increase in crime against women in 2022.
- **31.4%** is the cruelty by husband and relatives.
- There exists a regional variation with Delhi recording the maximum number of cases followed by the UP.
- Concerning domestic violence, UN-Women has coined the term 'Shadow Pandemic'.
- According to the NCW violence against women is on the rise as there is no deterrence due to lack of reporting.
- According to the NCW, there is a 46% rise in complaints of crime against women in the first eight months of 2021.
- Highest incidences of Right to live with dignity and of domestic violence.
- 86% of women did not seek help and 77% of women did not speak about the incident to anyone.
- **Causes of Violence Against Women:**
- a) Institutionalization of patriarchy.
- b) Different processes of socialization.
- c) Objectification and commodification of women.
- d) Gender stereotyping (weak, passive, and dependent).
- e) Traditional and cultural practices (Honor killing due to intercaste marriage, female genital mutilation)
- f) Internalization of patriarchy both by the men and women (gender social norm index by UNDP).
- 25% of the surveyed population believed it is fine for a husband to beat his wife.
- g) Situational Factors such as alcoholism, drug abuse, etc.

- h) Women with a higher economic status are more at risk of violence as it threatens the male hegemony.
- In a nuclear family due to a lack of social support and increased stress, women are often treated as a cushion to vent out their frustration.
- i) Institutional Weakness:
 - Lack of Stringent laws.
 - Lack of proper enforcement.
 - Gender insensitive attitude of various stakeholders.
 - Lack of certainty.
- j) Dysfunctional families.
- k) Lack of comprehensive education e.g. No sex education.

GOVERNMENT EFFORTS TO ADDRESS VIOLENCE AGAINST WOMEN: (09:28 AM):

- 1975: Towards Equality Report (Mexico).
- Which changed from 'Women in Development to Women & Development'.
- Gujrat: Nari Adalat.
- UP: Sahara Sangh.
- WB: Shalishi
- Despite the government's efforts violence against women is don't the rise due to the following factors:
 - Lacunaes In Government's Efforts:
 - a) Fear of stigmatization.
 - b) Lack of efforts w.r.t attitudinal change.
 - c) Gender-biased attitude of law enforcement agencies.
 - d) Inadequate implementation of laws (poor conviction rate, delay in the judicial proceeding, etc.)
 - e) Under-reporting of cases due to fear of retaliation, known accused, financial dependence, and fear of social isolation.
 - f) Lack of awareness among women w.r.t rights and entitlements.
 - g) Failure of the state to provide adequate infrastructure e.g. functional streetlights, CCTV cameras, and Mobile Police vans.
 - h) Corruption of value system.
 - i) Lack of presence of women in decision-making positions.
 - j) Glorification or justification of violence against women in entertainment media.

- k) Bystander apathy.
- l) Broken Window Theory: When for a petty crime a person has not been reprimanded at an early stage the chances of committing the heinous offenses in the later stages are very high.
- m) Digital harassment and cyberbullying which made the rise of technology has introduced new forms of harassment.
- n) Trivialisation of the patriarchal culture.
- Question:
 - 1) Despite the increase in legal provisions violence against women is on the rise. Explain (10 marks/150 words).
 - 2) Explain the paradox where on the one hand violence against women justifies strong laws whereas on the other hand, the same laws have been misused by some women.
- Points for 2nd Question:
 - a) Desacrilization of marriage, adultery, divorce, and separation is no longer a taboo.
 - b) Consumerism and obsession with materialism.
 - c) Lack of gender-neutral laws.
 - d) Gender stereotyping.
 - e) Lack of commission to protect the rights of males.
- However, under the POCSO despite consensual relations often under the pressure of society and family there is falsely implicating boys.
- Misuse of the law does not justify the dilution of laws there is a need for gender-neutral laws, adequate sensitization of law enforcement agencies, inculcation of moral values, and establishment the gender equality in the true sense.

IMPLICATION OF VIOLENCE AGAINST WOMEN: (10:10 AM):

- **1) Health Impact:** It is the most preventable cause of morbidity & mortality among women.
- Violence causes mental, physical, emotional (self-alienation) & sexual harm to women.
- **2) Economic Impacts** implies in two following forms:
 - **2.a.) Direct Cost:** Low productivity, Low Income, Direct Health Cost, Out-of-pocket expenditure.
 - **2.b.) Indirect cost:** Impact on child, Maternal Mortality, Intergenerational social & psychological cost.
- **3) Increased incidence of divorces** will lead to disruption of the family as an institute.
- **4) It will further perpetuate gender inequality & strengthen the stereotypes** that exist in society.
- **5) It obstructs the participation of women in development & policy-making** because it hampers their ability to act and move freely.
- **6) It hinders realizing Fundamental rights under Articles 14 & 21 of the Indian Constitution.**
- **7) At the National Level it is a grave violation of human rights.**
- **8) It also hampers Female Labor Force Participation (FLFP).**
- **9) It will also act as a hurdle concerning achieving Sustainable Development Goals (SDGs).**
- **Way Forward:**
- **Short Term:**
 - **Strict enforcement of laws, the establishment of Fast Track Courts for speedy recoveries, robust infrastructure, self-defense training, Mahila Police Stations, Community Policing, and Mohalla committees, Helpline/Mobile app, One Stop Center (OSC), Regulation of public transport e.g. emergency buttons, GPS mandatory.**
 - **Or efforts like the Bultoo Experiment, infrastructural support such as legal aid, financial aid to address the issues of awareness & affordability, strict patrolling, or vigilance at night, anonymous grievance redressal cells e.g, on the miles of SHeBox, establishing counseling centers at the workplace, and a proper database of potential perpetrators.**
- **Mechanism to protect the privacy & dignity of the women.**
- **Long Term:**
- **Moral overhauling of the society.**

- Value-based without any generation coloration.
- Gender sensitization of all the stakeholders, destiny women.
- Destigmatization of violence against women.
- Creating awareness among women through social media, charismatic personalities, etc.
- Engage with men & boys as change agents e.g. He for She Campaign.,
- The innovation & defusion framework persuades the charismatic person and it will be their responsibility to bring change in the value system creating awareness regarding Social Evils through movements on Social Media e.g. #METOO or Social Cinema like Pad man, Pink, etc.
- Strengthening of women's organizations & associations increasing the power of the National Child & Women Commission.
- Increasing the role of women.
- Gender-neutral socialization right from childhood.
- Drone-based surveillance during the night.
- Gender-friendly infra and enhanced access to paid employment to foster women's financial autonomy.
- Sex education at the primary level and teaching children about good and bad touch.
- Prioritizing the needs of marginalized and vulnerable groups e.g. women from low-income backgrounds, women with disability, ethnic minorities, etc.
- Respecting the woman's bodily autonomy.

DOMESTIC VIOLENCE: (10:35 AM):

- As per WHO one in every three women has witnessed physical or sexual violence during their lifetime.
- According to the MoSPI highest share in violence against women.
- Premise: SC ruled that women will have the right to residence in the shared house (even if rented/owned by in-laws).
- The reason for increasing instances of domestic violence:
 - 1) Nuclear families are more prone to domestic violence.
 - 2) Cultural acceptance of domestic violence (Gender Social Norm).
 - 3) Lack of alternative opportunities e.g. lack of parental support, and financial dependence on women.
 - 4) Lack of awareness among women concerning redressal mechanisms.
 - 5) Changing socio-economic relations, especially in urban areas where male hegemony is being challenged.
- In the context of rural areas, there exists the problem of violence against young widows or women who are unable to bear a boy child.
- 6) Lack of criminalization of marital rape also contributes to the incidences of domestic violence.
- 7) Disruption of social life due to factors such as COVID-19.
- 8) Lack of witness: In the context of UP, initiatives like Bell Bajao or Suppress Corona Not Your Voice.
- Section 85 of BNS: Husband or relative of husband of a woman subjecting her to cruelty.
- Question:
 - Q.01) Concerning the recent data on domestic violence, critically examine the factors responsible for domestic violence and suggest a few immediate measures that can help us address these challenges. (15 marks/250 words)
- (Refer to handouts for comprehensive coverage of the topic).

DOWRY: (10:58 AM):

- The Dowry Prohibition Act of 1961 states dowry is considered a cognizable offense.
- Every offence under this act is non-bailable and non-compoundable.
- Dowry is considered the most important reason responsible for:
 - Sex-selective abortions.
 - Female infanticide.

- The low status of girls as they are considered a social & economic liability.
- Lack of investment in girl child education.
- Domestic violence & dowry deaths.
- Overall skewed sex ratio.
- Dowry refers to any property or valuable security given or agreed to be given directly or indirectly by one party to the marriage to the other party.
- Data points:
 - In the 1930s 40% of marriages involved dowry.
 - In 2000 about 90% of marriages involved dowry.
- Reasons For Rise In Incidences of Dowry:
 - 1) Acceptance of the culture of dowry by both men & women.
 - 2) There exists a hierarchical relationship between men & women & it reinforces a positive attitude toward dowry.
 - 3) It is treated as an investment (give and take culture).
- Dowry is associated with the concept of groom price which is determined based on market value e.g. caste, education, prospects, etc.
- 4) Consumerist culture.
- 5) Sanskritization concerning the practice of the dowry.
- 6) The practice of caste endogamy leads to a scarcity of grooms, which further increases the dowry.
- 7) Lack of proper implementation of existing laws.
- 8) Practice is associated with the social prestige of the family.
- 9) Despite an increase in women's education problem of dowry persists as the increase has not led to labor market participation.
- 10) The practice continues to persist because of the bandwagon effect.
- Rather than taking it as a sacred union marriage is also seen as a means to improve the social & financial status of the bride.
- Way Forward:
 - Promoting the concept of Adarsh marriage i.e. affluent people restrain from lavish marriages.
 - Stigmatization of the practice of dowry e.g. through naming & shaming or mohalla committees.
 - Stop the glorification of gifting culture.
 - Outlawing extravagant weddings.

- Ensure the girl child gets her share in the ancestral property.
- Efforts to increase financial independence in women.
- Mass awareness drives regarding the perils of dowry & making it a people's movement.
- We can set examples in society through vicarious reinforcement.
- Strict implementation of existing laws both in letter & spirit.
- Question: In the backdrop of increased incidences of dowry enumerate the measures that can be taken to eradicate this malpractice. (10 marks/150 words).

SEXUAL HARASSMENT OF WOMEN AT THE WORKPLACE: (11:13 AM):

- Sexual harassment is one of the major reasons for the decline in Female Labor Force Participation.
- According to FICCI 25% of Private MNCs have yet not constituted an Internal Complaint Committee.
- Approximately 70% of the women do not report the cases due to the following reasons:
 - 1) Lack of understanding of the term sexual harassment.
 - 2) Lack of faith in the complaint mechanisms.
 - 3) Fear of retaliation.
 - 4) Fear of social exclusion and domestication.
 - 5) Due to the stigma associated with the status of women.
- Protection From Harassment at the Workplace:
- Objective: Protection, Prevention, and Redressal of Complaints.
- Formation of ICC and LCC.

- **SURROGACY: (11:25 AM):**
- **Question: 'Surrogacy has become both the need and source of income for many'. In the context of this statement to what extent prohibition of commercial surrogacy is justified? (10 marks/150 words).**
- **Causes:**
- **Due to the amount of money involved it creates grounds for the exploitation of the women.**
- **Due to poverty & unemployment most belong to the vulnerable section.**
- **Due to the lack of education & lack of awareness of rights, women are subjected to exploitation.**
- **Exploitation is done financially, physically, & mentally.**
- **Prepare improper contracts which often absolve intended parents of all their responsibilities.**
- **Right of Surrogate Child:**
- **These rights are often infringed upon.**
- **Abandonment of child due to:**
- **Unplanned twins.**
- **A child born with a disability.**
- **Girl child.**
- **Divorce of parents.**
- **The rights of children are compromised by parents of a certain avail surrogacy but it's not recognized in their country.**
- **According to Feminism the act promotes romanticism with altruism and curtailing the rights of the surrogate mother.**
- **Analysis Of the Act:**
- **Pros:**
- **It provides for the registration of surrogacy clinics which will ensure appropriate safeguards.**
- **It safeguards the rights of surrogate mothers for abortion, pre & post-natal care, or withdrawal.**
- **The rights of the child are also safeguarded by preventing their abandonment.**
- **The provision of insurance coverage of 36 months is a welcome move.**
- **Infertility in our society is considered taboo so it is a moral responsibility to elevate the curse of infertility.**

- Due to the prohibition on commercial surrogacy, it will facilitate the culture of adoption.
- Cons:
- The blanket ban on the industry will push it underground & will aggravate the exploitation.
- Act fails to incorporate the modern realities e.g. exclusion of single parents, homosexual, transgender, live-in partners, fertile couples, etc.
- Therefore surrogacy is not ethically justified as it depersonalizes the process of reproduction.
- Infertility is a stigmatic issue and the condition to obtain the certificate further aggravates the stigma.
- The definition of infertility is not exhaustive and the issues concerning Tokophobia are also not incorporated in the act.
- Under various cases, it has been established that the right to Decide for reproduction is a personal choice and an essential facet of the Right to Life under Article 21 e.g. B.K Parthasarathy Case or Devika Biswas Case.
- Most of the surrogate mothers are from the vulnerable section hence ban on commercial surrogacy will restrict the income opportunities for them.
- In the backdrop of the recently passed Surrogacy Act, discuss the factors responsible for its implementation. Also, enumerate the challenges in its implementation.

TOPICS OF THE NEXT CLASS:Diversity, etc.