

**Atrocities to Women – “Enough is Enough”**

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**Introduction –**

Violence against women in India has been a serious problem from the starting off so called civilized human society. This violence can be of very mild teasing, rape and murder, which can happens at home, in the streets, at work places, jails; in short it can be anywhere. In India, because of own law only few crimes against women are reported; fewer still under prosecution, and a negligent number of accused are actually found guilty and punished. In the absence of detailed studies on incidence, it is difficult to come up with suggestions to reduce if not abolish such violence. There is an urgent need for more studies on this violence so that the psychology of the violators is better understood. Instances of violence need to be thoroughly investigated, and ways and means devised to reduce their incidence. There is need for quick and severe punishment for the accused, which would act as a deterrent too. Any society, in which half the population is not assured of safety, needs to reconsider its claim to being civilised.

Violence against women is a violation of human rights; it is neither unchanging nor inevitable and could be radically reduced, and eventually eliminated (Study of the Secretary General 2006). There are three aspects of this crime which the society needs to take care of, the first being prevention of rape. The second important responsibility of the society is sensitive management of victim after the crime and lastly punishment of the perpetrator of the crime. It is often argued that prevention of rape requires a change in the mind set of the society and cannot be brought about immediately; the second and third aspects are well within immediate reach.

**Reasons behind the Atrocities of Women –**

Harassment, assault and abuse are the part of the package where by women are vulnerable and preyed upon by the men in societies around the world. The meaning of equality may not be consistent across culture because a perpetrator believes that he has a right to abuse. Attitudes or practices that invisibles, minimize or justify such violence are similarly contributory , such as the belief that neighbours should not interfere when a wife is being beaten because that is private matter and one of the strongest risk factor of atrocity is the male control our social and economic decision making.

So, overall many reasons are liable for atrocities of women –

- Son preference
- Prostitution
- Trafficking
- Early marriage
- Forced labour
- Money
- Customs etc.

### **Types of Atrocities striking girls and adolescents –**

#### a) Child abuse and neglect –

Some children are abused and neglected by their parents and other care givers in all countries in the world. This kind of violence includes physical, sexual, and psychological abuse as well as neglect. The outcome might be fatal with the most common causes of death being head injuries, abdominal injuries, and intentional suffocation. Non-fatal outcomes have been described as various forms of abuse and neglect that require medical care and intervention by social services.

Sex and age are important factors in determining the kind of violence exercised. Young children and boys are more at risk of physical abuse while older girls, having reached puberty and adolescence, risk sexual abuse, neglect, and being forced into prostitution.

#### b) Gender based abuse of infants and female child –

In some countries/regions of the world there is a social preference for boys, leading to the neglect of girls, in response to longstanding cultural traditions favoring males. This gives rise to, for example, sex selective abortions of females where the sex of the fetus is identified through the use of ultrasound technique, malnourishment of girls, or even infanticide i.e., the deliberate killing of female infants soon after birth. In countries where this is common (China, Taiwan, South Korea, India, Pakistan, and some sub-Saharan African countries), the female to male ratio is lower than expected, pointing to violation of the natural course of events.

c) Female Genital Mutilation and Torture–

Female genital mutilation (FGM) is defined by WHO as the partial or total removal of the external genitalia or other injury to the female genital organs whether for cultural, religious, or other non-therapeutic reasons. The terms female genital cutting (FGC) and female circumcision have also been used to describe this procedure. FGM is performed at different times in a girl's life depending on the setting. WHO estimates that between 100 to 140 million girls and women have undergone some type of FGM. Most of those affected live in 28 countries in Africa, although there are some in the Middle East.

d) 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 is the preferred term as it is more descriptive in defining the type of relationship the subjects are involved, however it says nothing about the direction of this violence. Even though this is one of the most common forms of violence directed at women, the term intimate partner violence needs to be made specific by adding “against women” to exactly describe the phenomenon.

e) Rape and Gang Rape –

There are many myths about rape, to have sex against one's will, which are based on stereotypes about what is appropriate sexual behavior for men and women. For example, most people associate rape with a violent attack by a stranger, but rape is most often perpetrated by someone known to the victim. There is also an assumption that rape leaves obvious signs of injury, which is often not the case. Only around one third of rape victims sustain visible physical injuries. Physical violence or pressure in the form of blackmail or threats might occur simultaneously with the rape, or is the violence carried out while the woman is asleep or under the influence of alcohol or other drugs, unable to defend herself. Rape is often not

reported to the police and existing statistics greatly underestimate the magnitude of the problem. Gang Rape is another form of attacks on young women. In every seven minutes a crime is committed against women in India. One quarter of the reported rapes involves girls under the age of 16 years.

f) Dowry Deaths –

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 and sisters).

g) Murders in the name of Honour–

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. This kind of violence against women and girls is exercised also in western European countries within immigrant families. It is generally referred to as "honour" killings a rather misleading term as the connection with honour is difficult to understand in most cultures. The term "murder in the name of honour" has been suggested.

h) Molestation –

In India , many women are suffered silently for a long period. In every 3 minutes , one woman suffer from molestation. Lack of financial and family support they compromises their violence. More than 95% case of molestation did not filed because of hidden pressure of her image and status.

i) Sexual harassment-

Sexual harassment means is when one person subjects another person to an unwanted act of physical touch, it may like grabbing, brushing, touching, pinching, eve teasing, makes an unwelcome demand or implication for sexual favours from another person and conduct any act in the form of pictures, video, cartoons, pornographic e-mails etc.

j) Importation of Girls-

It is a hidden truth of our society. Women and girls are normally trafficked for the purpose of sexual and economic exploitation. Particularly, prostitution, pornography, forced labour, bribes and recruitment for the participation in hostilities.

k) Kidnapping/ abduction and inducing-

It means taking away any person to without consent. It does not matter that kidnapped/ Abducted women and girl is married or not. They always tried to forced or seduced to illicit intercourse.

**Laws to prevent Atrocities of Women in India –**

As the offense is very common in India especially against women, the government and the authorities try to secure women in every possible manner. The Protection of Women from Domestic Violence Act, 2005, and many amendments in Criminal Law have been implemented to various acts that act against the modesty and dignity of a woman. The concept of maintenance is one additional support to protect a woman's modesty, providing them the necessary economic measures to sustain basic dignified life.

The Basic Laws for Maintenance in India are –

**a) Section 125 of Criminal Procedure code, 1973 –**

Section 125 of Criminal Procedure Code, 1983, (CRPC) explains the term and procedure of maintenance for the wife, children, and parents of a man. In a separation or divorce case, a court may order a husband who has adequate means of earning, to his wife, if she is unable to maintain herself and earn, to layout maintenance to her, either monthly or annually or in a lump sum amount. However, the wife is not entitled to the maintenance if she is residing in

adultery, or turns down to live with the husband with any unreasonable cause, or living separately with mutual consent.

**b) Section 24 of the Hindu Marriage act, 1955 –**

Section 25 of the Hindu Marriage act, 1955, describes the maintenance as in such cases, the court may order either the husband or the wife is entitled to layout maintenance in either a lump sum amount or annually or monthly for the lifetime.

**c) Section 18 of the Hindu Adoption and Maintenance Act, 1956 –**

According to Section 18 of the Hindu Adoption and Maintenance Act, 1956, a wife, who is born as a Hindu, is entitled to get maintenance by her husband during her throughout her lifetime. Under the act, the wife also has a right of separate residence and maintenance, in any of the conditions defined under section 18(2) of the Hindu Adoption and Maintenance Act, 1956 ( Cruelty, desertion, leprosy, adultery, forceful conversion of religion, or any reasonable cause). However, she is not entitled to any kind of maintenance if she is unwilling to the consummation of the marriage, or converted willingly. Meanwhile, Section 19 of the act says that a widowed woman is entitled to maintenance by her father-in-law.

**Basic Laws to prevent atrocities of women in India –**

When we discuss about the rights of women it comes under the consideration of both constitutional and legal rights. The constitutional rights are those which are incorporated in the various provision of Indian constitution. The legal rights refer to those which are incorporated in the various laws or act passed by the parliament and the state legislation. Both the rights are described here point wise –

**Constitutional Provisions for protection of Women–**

1. Article 15(1) provides that the state shall not discriminate against any citizen of India on the ground of sex
2. Article 15(3) provides that the state is empowered to make any special provision for women i.e. the state can make affirmative discrimination in favor of women.
3. Article 16(2) provides that no citizen shall be discriminated against or be ineligible for any employment or office under the state on the ground of sex.

4. Article 23(1) provides that traffic in human beings and forced labor is prohibited.
5. Article 39(a) provides the state to secure for men and women equally the right to an adequate means of livelihood
6. Article 39(d) provides the state to secure equal pay for equal work for both Indian men and women.
7. Article 39(e) provides that the state is required to ensure that the health and strength of women workers are not abused and that they are not forced by economic necessity to enter avocations unsuited to their strength.
8. Article 42 provides that the state shall make provision for securing just and humane conditions of work and maternity relief.
9. Article 51-A (e) provides that it shall be the duty of every citizen of India to renounce practices derogatory to the dignity of women
10. Article 243-D (3) provides that one-third of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women.
11. Article 243-D (4) provides that one-third of the total number of offices of Chairpersons in the Panchayats at each level shall be reserved for women.
12. Article 243-T (3) provides that one-third of the total number of seats to be filled by direct election in every Municipality shall be reserved for women.
13. Article 243-T (4) provides that the offices of Chairpersons in the Municipalities shall be reserved for women in such manner as the State Legislature may provide.

### Special Provisions for Protection of Women–

1. Protection of Women from Domestic Violence Act (2005) is a comprehensive legislation to protect women in India from all forms of domestic violence by the husband or any of his relatives. Domestic violence is subjected to any kind of physical, sexual, mental, verbal or emotional.
2. The Immoral Traffic (Prevention) Act, 1986 (PITA) has amended The Immoral Traffic (Suppression) Act, 1956 (SITA). This Act is the premier legislation only for prevention of trafficking for commercial sexual exploitation i.e. for the purpose of preventing and ultimately prohibiting prostitution for women and girls to criminalize sex work. In 2006, the Ministry of Women and Child Development proposed an

amendment bill i.e. the Immoral Traffic (Prevention) Amendment Bill, 2006 that has yet to be passed.

3. Indecent Representation of Women (Prohibition) Act (1986) prohibits indecent representation of women through advertisements or in publications, writings, paintings, figures or in any other manner.
4. Commission of Sati (Prevention) Act (1987) provides for the more effective prevention of the commission of practice of Sati or the voluntary or forced burning or burying alive of widows, and to prohibit glorification of this action through the observance of any ceremony.
5. Dowry Prohibition Act (1961) prohibits the giving or receiving of dowry at or before or any time after the marriage from women
6. Maternity Benefit Act (1961) protects the employment of women during the time of her maternity and entitles her to a maternity benefit and certain other benefits. The Maternity Benefit (Amendment) Act, 2017 and amendment to the Maternity Benefit Act (1961) has been passed. The Act is applicable to contractual or consultant women employees, as well as to the women who are already on maternity leave at the time of enforcement of the Amendment Act.
7. Medical Termination of Pregnancy Act (1971) provides for the termination of certain pregnancies by registered medical practitioners on humanitarian and medical grounds.
8. Pre-conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act (1994) prohibits sex selection before or after conception and prevents the misuse of pre-natal diagnostic techniques for sex determination leading to female foeticide.
9. Equal Remuneration Act (1976) provides for payment of equal remuneration to both men and women workers for same work or work of a similar nature. It also prevents discrimination on the ground of sex, against women in recruitment and service conditions.
10. Muslim Women (Protection of Rights on Divorce) Act (1986) protects the rights of Muslim women who have been divorced by or have obtained divorce from their husbands.
11. Hindu Succession Act (1956) recognizes the right of women to inherit parental property equally with men. Then there came the Hindu Succession (Amendment) Act

2005 granting daughters the right to inherit ancestral property along with their male relatives.

12. Minimum Wages Act (1948) does not allow discrimination between male and female workers or different minimum wages for them.
13. Mines Act (1952) and Factories Act (1948) prohibits the employment of women between 7 P.M. to 6 A.M. in mines and factories and provides for their safety and welfare.
14. The Sexual Harassment of Women at Work Place (Prevention and Protection) Act (2013) provides protection to women from sexual harassment at all workplaces both in public and private sector, whether organized or unorganized.
15. Child Labor (Prohibition and Regulation) Amendment Act, 2016 prohibits the engagement of children in all occupations and of adolescents in hazardous occupations and processes, where adolescents refer to those less than 18 years and children to those less than 14 years.
16. The Protection of Children from Sexual Offences (POCSO Act) 2012 was formulated in order to effectively address sexual abuse and sexual exploitation of children. It defines a child as any person below the age of 18 years and provides protection to all children under the age of 18 years from the offences of sexual assault, sexual harassment, and pornography.

### **Conclusions –**

Violence against women is a serious violation of women's human rights and of direct concern to the public health sector because of the significant contributions that public health workers could do if properly trained, as they are placed close to the victims, and possibly well acquainted with the community and its inhabitants. Thus, local health services and communities could play a central part in raising awareness among the public to prevent this violence. To openly debate this subject is a way to reduce society's tolerance towards violence against women.

There is still limited knowledge about what interventions are most effective for the prevention of gender based violence, however documentation and evaluation are key elements in building this knowledge and clear definitions are an important element in this.