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Violence Against Women in India: Some Issues

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ABSTRACT

Violence against women is a serious problem in India. Overall, one-third of women age 15-49 have experienced physical violence and about 1 in 10 have experienced sexual violence. In total, 35 percent have experienced physical or sexual violence. This figure translates into millions of women who have suffered, and continue to suffer, at the hands of husbands and other family members. NFHS-3 collected information from married and unmarried women age 15-49 about their experience of physical and sexual violence. Married women were also asked about their experience of emotional violence. NFHS-3 findings underscore the extent and severity of violence against women in India, especially man Violence against women in India is an issue rooted in societal norms and economic dependence. Discriminatory practices are underlined by laws favoring men. Inadequate policing and judicial practices deny female victims proper protection and justice. Although female participation in public life is increasing and laws have been amended, India still has a long way to go to make Indian women equal citizens in their own country

Introduction:

In India where almost half of the population are women, they have always been ill-treated and deprived of their right to life and personal liberty as provided under the constitution of India. Women are always considered as a physically and emotionally weaker than the males, whereas at present women have proved themselves in almost every field of life affirming that they are no less than men due to their hard work whether at home or working places. Behind closed doors of homes all across our country, people are being tortured, beaten and killed. It is happening in rural areas, towns, cities and in metropolitans as well. It is crossing all social classes, genders, racial lines and age groups. It is becoming a legacy being passed on from one generation to another. But offences against women which reflects the pathetic reality that women are just not safe and secure anywhere. According to a latest report prepared by India's **National Crime Records Bureau (NCRB),** a crime has been recorded against women in every three minutes in India. Every 60 minutes, two women are raped in this country. Every six hours, a young married woman is found beaten to death, burnt or driven to suicide.

The issue of violence against women in India was brought to the forefront after the brutal gang-rape of a 23-year-old woman in Delhi on 16 December 2012. The December incident led to a sudden outpouring of anger and frustration about the situation that allowed such attacks to take place. People took to the streets in large numbers calling for change. But the issues involved are complex and deeply rooted. The challenges Indian women face include an often misogynistic society outdated and sometimes repressive governance structures, an inefficient legal justice system, a weak rule of law and social and political structures that are heavily male-centric.

It is difficult and potentially misleading to make a culture-based argument about the problems that women face in India because of the size and diversity of the country. There is no one culture that is either exclusively Indian, or covers the whole population residing within its borders. Generalizations that ignore even one percent of the population leave more than ten million people out of the calculation. Thus the situation of women varies within India. Especially women from the north-eastern provinces as well as in the south tend to be in a better position. Their share of the female work force, especially in the service sector seems to be quite high. Moreover, they are considered to be more visible and active in the public sphere. Moreover regressive social codes that disproportionately penalize women are not unique to India, and have been a social hurdle in all countries when it came to extending political, legal, and economic rights to women. Nevertheless some numbers clearly indicate a large problem in Indian society's attitude of women at the macro level. According to the 2011 census the sex ratio between men and women indicates 940 women to a 1000 men which is a definite improvement over the 2001 census where the ratio was 933:1000. However, India still has one of the lowest sex ratios on the world with approximately 35 million women "missing". The highest number of missing women at birth is in the north-western states of Punjab, Rajasthan and Haryana, etc. Research indicates that 12% of this gap is found at birth which increased to 25% in childhood.

Some of the widely regarded key explanations for this missing number are sex-selective abortion and possible neglect of young girls during infancy indicating a high preference for male children rather than female children.

This preference for boys is also evident in the gender gap in the literacy rate in the 2011 census which shows that 82% of males and 65% of females are literate. The difference of 17% indicates that many Indian parents still believe that educating the sons takes precedence over daughters while allocating family resources. Nevertheless, it is considerable improvement over previous census data where the gap was 27% (1981), 25% (1991), and 22% (2001).

The NCRB statistics indicate that an Indian woman is most unsafe in her marital home with 43.6% of all crimes against women being "cruelty" inflicted by her husband and relatives. These numbers do not include incidences of marital rape, as India does not recognize marital rape as an offence3. Of the 24,923 rape incidences in India in 2012, 98% of the offenders were known to the victim, which is higher than the global average of approximately 90%. This may also mean that children – boys and girls – in India grow up in a situation where they see violence against women as the norm.An Upsurge in Crime or Upsurge in Reporting on Crime? The distribution pattern of crimes against women has not changed much in the last few years, but between 2001 and 2011 the overall number of incidents of crime against women rose steadily, and was 59% higher than in 2001. Copyright by FNFThese figures are, at best, indicative. Rape and violence against women are among the most under-reported crimes worldwide because of the social stigma attached to the nature of the crime. The UN Office on Drugs and Crimes records that in 2010 there were only 1.8 cases of rape5 reported per thousand people in India; in Germany it was 9.4, in Norway the figure was 19.2, in the United States it was 27.3 and in Sweden it was 63.5 per thousand. It is legitimate to question whether these figures represent the number of crimes, or how easy it is for women in these countries to report them to the police.In India, where the culprits are largely known to the victim, the social and economic "costs" of reporting such crimes are high. General economic dependence on their families and fear of so-

cial ostracization act as significant disincentives for a woman to report any kind of sexual violence or abuse. Therefore the actual incidence of violence against women in India is probably much higher than the data suggests.

Another barrier to reporting is the unwillingness of police officials to register complaints. If the case is lodged, sub-standard investigative procedures and low conviction rates strengthen the impression that there is little benefit in reporting the crime. Moreover, most police in India function within the framework of the Police Act of 1861 which emphasizes enforcing order rather than upholding rights. Therefore, if a police station registers many crimes within its jurisdiction, it is considered to be incapable of enforcing law and order. This perception is a severe disincentive for a police officer to record a crime in his jurisdiction, especially if the crime is seen as "less important".

The presence of more women police officers might help in dealing with the problems most women encounter in reporting cases of rape, violence or harassment. Unfortunately there are only 84,479 women police personnel in India, constituting only 5.33% of the total police force. Nevertheless the one positive note is that the NCRB noted that 72.2% of the total registered cases of crimes against women in 2010 were investigated by 2011, making for a strong argument that if a case is registered by the police it is likely to be investigated and disposed of.

Female foeticide

Female foeticide is the elected abortion of a fetus, because it is female. Female foeticide occurs when a family has a strong preference for sons over daughters, which is a common cultural theme in India. Modern medical technology has allowed for the gender of a child to be determined while the child is still a fetus. Once 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 feoticide. The foetal sex determination and sex-selective abortion by medical professionals is now a R.s 1,000 crore (US$ 244 million) industry. The Preconception and Prenatal Diagnostic Techniques Act of 1944 (PCPNDT Act 1994) was modified in 2003 in order to target medical professionals. The Act has proven ineffective due to the lack of implementation. Sex-selective abortions have totaled approximately 4.2-12.1 million from 1980-2010. There was a greater increase in the number of sex-selective abortions in the 1990s than the 2000s. Poorer families are responsible for a higher proportion of abortions than wealthier families. Significantly more abortions occur in rural areas versus urban areas when the first child is female.

Domestic violence is abuse by one partner against another in an intimate relationship such as dating, marriage, cohabitation or a familial relationship. Domestic violence is also known as domestic abuse, spousal abuse, battering, family violence, dating abuse and intimate partner violence (IPV). Domestic violence can be physical, emotional, verbal, economic and sexual abuse. Domestic violence can be subtle, coercive or violent. In India, 70% of women are victims of domestic violence. 38% of Indian men admit they have physically abused their partners. The Indian government has taken measures to try to reduce domestic violence through legislation such as the Protection of Women from Domestic Violence Act 2005.

Conclusion:

Violence against women is not a new phenomenon. Women have to bear the burns of domestic, public, physical as well as emotional and mental violence against them, which affects her status in the society at the larger extent. The statistics of increasing crimes against women is shocking, where women are subjected to violence attacks i.e. foeticide, infanticide, medical neglect, child marriages, bride burning, sexual abuse of girl child, forced marriages, rapes, prostitution, sexual harassment at home as well as work places etc. In all the above cases women is considered as aggrieved person.

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