

# A Study on the Violence against Women in India

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## Abstract

Violence against women does not mean only physical violence. It is much broader and includes sexual, emotional, psychological and financial abuse. The National Plan targets two main types of violence against women – domestic and family violence, and sexual assault. ‘The term violence against women means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.’ Violence is a harassment against women by man it may be either physical or sexual. Women are victimized by man at any stage. There are various types of violence happened by men against women like sexual, early marriage, dowry killing, rape, murder, forced prostitution of young girls etc.

**Keywords: Violence, physical, sexual, domestic, and dowry etc.**

## 1. Introduction:

Violence against women in India refers to physical or sexual violence committed against Indian women, typically by a man. Common forms of violence against women in India include acts such as domestic abuse, sexual assault, early marriage, murder. Crime against women such as rape, acid throwing, dowry killings, honour killings, bride burning, and the forced prostitution of young girls has been reported in India. Police records in India show a high incidence of crimes against women. Women belonging to any class, caste, creed or religion can be victims of this cruel form of violence and disfigurement. In India, domestic violence towards women is considered as any type of abuse that can be considered a threat; it can also be physical, psychological, or sexual abuse to any current or former partner. In 1961, the Government of India passed the Dowry Prohibition Act making dowry demands in wedding arrangements illegal. However, many cases of dowry-related domestic violence, suicides and murders have been reported. In the 1980s, numerous such cases were reported. In fact in this present topic it will be focused on the violence against women in India.

## 2. Objectives of the study:

- 1.To contribute to ending male violence against women and girls.
- 2.To protect gender based violence and to provide protection to victims of domestic violence.
- 3.To study the socio-economic and demographic factors which affect the victimization of woman for domestic violence.

### 3. Methodology:

The Present study depends on the secondary sources of data and an analytical research method is used. The data are collected from the various sources like books, journals, articles, news paper, magazine, Govt. reports, internet etc. The data are analyzed to meet the objectives of the study.

#### 4. 1 Meaning of violence:

The term violence refers to any physical force for or any damage or injury to person or property. Oxford Dictionary defines: "Violence as behaviour involving physical force intended to hurt damage or kill someone or something".

WHO defines Violence: "the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, which either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment, or deprivation".

‘Domestic violence is violent victimization of women within the boundaries of family, usually by men. Domestic violence is in a majority of cases violence against women by the members of house where she resides. It can be the husband, his parents, or siblings or any other resident who has the overt or covert latitude for actions that can cause physical or mental agonies to women, it happens behind closed doors and is most often denied by the very women who has been victim of violence.’

Term “ Domestic Violence against women” means any act or conduct which has potential to injure or hurt women physically, mentally, emotionally, socially, and also spiritually within the four walls of house, however, such an act or conduct is done usually not by strangers.

#### 5.1 Domestic Violence:

Domestic violence is abused 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. As politician Renuka Chowdhury says, in India, 70% of women are victims of domestic violence.

National Family Health Survey (NFHS) in 2016 found that 86% of Indian women did not report domestic violence to anyone, not even to friends and family members. Many women victims justify the domestic violence, mainly due to social norms which lead them to believe that they are not good wives and deserve punishment. A survey found that 45% of Indian women justify their husbands beating them. National Family Health Survey (2019-21) reveals that in four southern states, Tamil Nadu, Karnataka, Andhra Pradesh and Telangana, 80% of wives agree that their husbands are justified in beating them, which is high, compared to other Indian states. 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.

#### Yearly Cruelty Report by husband or relatives

2008	2009	2010	2011	2012	2013	2014	2015
81,344	89,546	94,041	99,135	106,527	118,866	122,877	113,403

Every 9 minutes, a case of cruelty is committed by either husband or a relative of the husband. Cruelty by a husband or his relatives is the greatest occurring crime against women. From 2011 to 2012, there was a 7.5% increase in cruelty by husbands and relatives.

Domestic violence is as old as recorded history which has been reported in virtually every society, every civilization. Discrimination and oppression leading to physical, mental or emotional violence have been accepted as a part of every patriarchal society. Except recent reference is found, domestic violence has been both socially and legally acceptable. Some important event, laws, codes, provide historical context, within which conceptualization of domestic violence becomes crystal clear. Two major elements combined to seal the status of women are male dominance and projecting women as 'property' an object belonging to men and secondly expectations from women as an ideal 'role model' suit each other, in such a way as to make her vulnerable and subject to discrimination, oppression and all sorts of victimization and resultantly compel their subordination.

#### 6.1. Forms of domestic Violence:

##### a) Physical Abuse:

Pushed or shoved you. Held you to keep you from leaving. Slapped or beaten you. Kicked or choked you. Hit or punched you. Thrown objects at you. Locked you out of the house. Abandoned you in dangerous places. Refused to help you when you were sick, injured or pregnant. Forced you off the road or driven recklessly. Threatened to hurt you with a weapon.

b) **Sexual Abuse:** Minimized the importance of your feelings about sex criticized you sexually. Insisted on unwanted or uncomfortable touching. Withheld sex and affection. Forced sex after physical abuse or when you were sick. Raped you. Been jealously angry, assuming you would have sex with. Anyone insisted that you dress in a more sexual way than you wanted.

c) **Psychological Abuse:** Psychological abuse which includes behavior that is intended to intimidate and persecute, and takes the form of threats of abandonment or abuse, confinement to the home, surveillance, threats to take away custody of the children, destruction of objects, isolation, verbal aggression and constant humiliation.

d) **Economic Abuse:** Economic abuse includes acts such as the denial of funds, refusal to contribute financially, denial of food and basic needs, and controlling access to health care, employment, etc. There are so many cases women are economically abused by men, amongst them most of the cases are happened easily in marital purpose.

e) **Emotional Abuse:** Continually criticized you called you names or shouted at. You insulted or driven away your friends or family.

f) **Individual based Violence:** It is found that aged women and girl child particularly vulnerable to domestic violence. The condition of women in the families is undoubtedly still quite precarious. Unmarried girls, unwanted in their father's homes could also experience violence.

a) Violence against Girl Child, (Unmarried Women) b) Violence against Married Women.

c) Violence against Aged Women.

## 6.2 CAUSES OF DOMESTIC VIOLENCE:

There is no one single factor to account for violence perpetrated against women. Increasingly, research has focused on the inter-relatedness of various factors that should improve our understanding of the problem within different cultural contexts. Several complex and interconnected institutionalized social and cultural factors have kept women particularly vulnerable to the violence directed at them, all of them manifestations of historically unequal power relations between men and women. Factors contributing to these unequal power relations include: socioeconomic forces, the family institution where power relations are enforced, fear of and control over female sexuality, belief in the inherent superiority of males, and legislation and cultural sanctions that have traditionally denied women and children an independent legal and social status. Following are the causes which carry on domestic violence: a) Cultural b) Economic c) Legal d) Political.

## 6.3 Forced Child marriage:

Girls are vulnerable to being forced into marriage at young ages, suffering from a double vulnerability: both for being a child and for being female. Child brides often do not understand the meaning and responsibilities of marriage. Causes of such marriages include the view that girls are a burden for their parents, and the fear of girls losing their chastity before marriage. Child marriage is supported to overgrowth population in India.

Around 7.84 million female children under the age of 10 are married in India.

## 7. Murder:

### 7.1 Dowry deaths:

A dowry death is the murder or suicide of a married woman caused by a dispute over her dowry. In some cases, husbands and in-laws will attempt to extort a greater dowry through continuous harassment and torture which sometimes results in the wife committing suicide, or the exchange of gifts, money, or property upon marriage of a family's daughter.

The majority of these suicides are done through hanging, poisoning or self-immolation. When a dowry death is done by setting the woman on fire, it is called bride burning. Bride burning murder is often set up to appear to be a suicide or accident, sometimes by setting the woman on fire in such a way that it appears she ignited while cooking at kerosene stove. Dowry is illegal in India, but it is still common practice to give expensive gifts to the groom and his relatives at weddings which are hosted by the family of the bride.

According to National Crime Records Bureau (NCRB) data, 6,589 dowry deaths were registered in the year 2021 all over the country, a 3.85% decline from 2020, with highest number of dowry deaths from the state of Uttar Pradesh (2,222 dowry deaths) and highest dowry death rate(per 1,00,000 population) in the state of Haryana.

Yearly Dowry Deaths Reports:

2008	2009	2010	2011	2012	2020
8,172	8,383	8,391	8,618	8,233	6,843

## 7.2 Acid throwing:

Acid throwing also called an *acid attack*, a *vitriol attack* or *vitriol age*, is a form of violent assault used against women in India. Acid throwing is the act of throwing acid or an alternative corrosive substance onto a person's body "with the intention to disfigure, maim, torture, or kill." Acid attacks are usually directed at a victim's face which burns the skin causing damage and often exposing or dissolving bone. Acid attacks can lead to permanent scarring, blindness, as well as social, psychological and economic difficulties.

The Indian legislature has regulated the sale of acid. Compared to women throughout the world, women in India are at a higher risk of being victims of acid attacks. At least 72% of reported acid attacks in India have involved women. India has been experiencing an increasing trend of acid attacks over the past decade.

In the period of 5 years between 2014 and 2018, 1,483 victims of acid attacks were registered, according to the National Crime Records Bureau data, in the country. The numbers of acid attacks are rising, but there is decline in number of people charge sheeted by the police. Uttar Pradesh, West Bengal and Delhi make up 42% of all the victims of acid attacks in India. The perpetrator rarely gets punishment. For example, in 2015, 734 cases went to trial, only 33 cases resulted in completion.

In 2018, Zainul Abideen ran 720 km golden triangle India (Delhi to Agra to Jaipur) against Acid/Rape attack for more awareness in public for women safety.

### 7.3 Abduction: Yearly Abductions Report

2008	2009	2010	2011	2012	2013	2014	2015
22939	25741	29795	35565	38262	51881	57311	59277

Incidents of reported kidnappings and abductions of women accounted for 17.6% of crimes against women in 2021, according to government data. A total of 28,000 women were abducted in 2021 for forced marriage.

### 7.4 Perpetuation:

The perpetuation of violence against women in India continues as a result of many systems of sexism and Patriarchy in place within Indian culture. Beginning in early childhood, young girls are given less access to education than their male counterparts. 80% of boys will go to primary school, whereas just over half of the girls will have that same opportunity. Gender-based inequality is present even before that, however, as it is reported that female children are often fed less and are given less hearty diets that contain little to no butter, milk, or other more hearty foods. Even when girls are taught about the inequity they will face in life, boys are uneducated on this and are therefore unprepared to treat women and girls as equals.

Later in life, the social climate continues to reinforce inequality, and consequently, violence against women. Married women in India tend to see violence as a routine part of being married. Women who are put in a situation where they are being subjected to gender-based violence are often victim shamed, being told that their safety is their own responsibility and that whatever may happen to them is their own fault. In addition to this, women are very heavily pressured into complicity because of social and cultural beliefs, such as family honour.

Even when a woman who is a victim of gender-based violence or crime does decide to report the incident, it is not always likely that she will have access to the support she would need to handle the situation properly. Law enforcement officers and doctors will often choose not to report a case, due to fear that it might in some way damage their own honour, or otherwise bring shame to them. In the case that she gets help from a doctor, there is no standard procedure for determining whether a woman is a victim of sexual assault and doctors often resort to highly invasive and primitive methods such as the infamous "two-finger test" which can worsen the problem and can be psychologically damaging for the victim.

Some organizations exist to help end the perpetuation of violence against women in India, most notably Dilaasa, a hospital-based crisis center for women operated in collaboration with CEHAT with aims to provide proper care for survivors of violence against women and work towards ending gender inequality. From 2000 to 2013, about 3,000 victims of sexual assault, domestic abuse, or other forms of gender-based violence have registered with Dilaasa.

## 7.5 Honour killings

Ahonor killing is a murder of a family member who has considered to have brought dishonour and shame upon the family. Examples of reasons for honour killings include the refusal to enter an arranged marriage, committing adultery, choosing a partner that the family disapproves of, and becoming a victim of rape. Village caste councils or panchayats in certain regions of India regularly pass death sentences for persons who do not follow their diktats on caste or gotra. The volunteer group known as Love Commandos from Delhi runs a helpline dedicated to rescuing couples who are afraid of violence for marrying outside of caste lines.

The most prominent areas where honour killings occur in India are the northern states—they're especially numerous in Haryana, Bihar, Uttar Pradesh, Rajasthan, Jharkhand, Himachal Pradesh, and Madhya Pradesh. Honour killings have notably increased in some Indian states which has led to the Supreme Court of India, in June 2010, issuing notices to both the Indian central government and six states to take preventative measures against honour killings.

Honour killings can be very violent. For example, in June 2012, a father decapitated his 20-year-old daughter with a sword upon hearing that she was dating a man who he did not approve of.

Honour killings can also be openly supported by both local villagers and neighboring villagers. This was the case in September 2013, when a young couple who married after having a love affair was brutally murdered.

## 7.6 Witchcraft-related murders:

Murders of women accused of witchcraft still occur in India. Poor women, widows, and women from lower castes are most at risk of such killings.

## 7.7 Female infanticides and sex-selective abortion:

Female infanticide female is the selected killing of a newborn female child or the termination of a female fetus through sex-selective abortion. In India, there is incentive to have a son, because they offer security to the family in old age and are able to conduct rituals for deceased parents and ancestors. In contrast, daughters are considered to be a social and economic burden. An example of this is dowry. The fear of not being able to pay an acceptable dowry and becoming socially ostracized can lead to female infanticide in poorer families. Pew Research Centre estimated as many as 9 million females missing from Indian population in the period 2000-2019 according to Indian government data.

Modern medical technology has allowed for the sex of a child to be determined while the child is still a fetus. Once these modern prenatal diagnostic techniques determine the sex of the fetus, families then are able to decide if they would like to abort based on sex. One study found that 7,997 of 8,000 abortions were of female fetuses. The fetal 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 1994 (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.

### **7.8 Rape and Sexual Assault:**

Rape cases registered in India increased from 2919 in 1973 to 24 206 in 2011; but sentence dropped by 18% (Sharma, Unnikrishnan, Sharma, 2014).

“Rape or sexual assault occurs if a woman is forced to participate in a sexual act without her consent. This may take the form of threats, coercion, or physical violence. Rape and sexual assault is particularly distressing crimes for the victim and the effects can last for a long time

” (Irish Observatory on violence against women, 2013). Social stigma and myths about sexual assault cause the fear among women to report the case; moreover, they would be blamed for provoking the attacker. World Health Organization (WHO) states the ideology of male sexual prerogative is the chief factor that leads to the sexual assaults. IPC section 375 and 376 pertaining to rape. IPC 375 states “man is said to commit “rape” to a woman in a circumstance like against her will, without her consent under false promise, consent by coercion, with her consent when she has unsound mind or intoxication and is unable to understand the nature and consequences of that to which she gives consent, or with or without her consent when she was under 16 years of age” (Madan, Sinha, 2013). The section 376 defines a minimum punishment of seven years for the perpetrator. The punishment covers an exhaustive list of rape situations like punishment for a public servant, police, and gang rapists” (Madan, Sinha, 2013). Indian parliament introduced Criminal Law Amendment Act in 2013, proposed by judicial committee headed by J S Verma after the terrific Delhi gang rape case. Act introduced several section including section 326A (voluntarily causing grievous hurt by use of acid, etc), Section 326B (voluntarily throwing or attempting to throw acid), Section 354 (sexual harassment), Section 354B (assault or use of criminal force to woman with intent to disrobe), Section 354C (voyeurism), Section 354D (stalking) and Section 370 (trafficking of persons (Misra, Bronitt, 2014). Even after bringing the proposed amendment in the Indian Penal Code, the number of rape and violence against women continue to happen.

### **7.9 Marital rape:**

In India, marital rape is not a criminal offense. India is one of fifty countries that have not yet outlawed marital rape. 20% of Indian men admit to forcing their wives or partners to have sex. Marital rape of an adult wife, who is unofficially or officially separated, is a criminal offence punishable by 2 to 7 year in prison; it is not dealt by normal rape laws which stipulate the possibility of a death sentence.

Marital rape can be classified into one of three types:

- Battering rape: This includes both physical and sexual violence. The majority of marital rape victims experience battering rape.
- Force-only rape: Husbands use the minimum amount of force necessary to coerce his wife.
- Compulsive or obsessive rape: Torture and/or "perverse" sexual acts occur and are often physically violent.

### **8.1 THE PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005:**

An Act to provide for more effective protection of the rights of women guaranteed under the Constitution who are victims of violence of any kind occurring within the family and for matters related with or incidental to. The incident of domestic violence is commonly prevalent but has remained largely invisible in the public domain. At present, where a woman is subjected to cruelty by her husband or his relatives, it is a crime under Section 498A of the Indian Penal Code, 1860. As a result of that, a law is proposed keeping in view the rights guaranteed under Articles 14, 15 and 21 of the Constitution to grant for a remedy under the civil law which is intended to protect the women from being sufferers of domestic violence and to prevent the incidence of domestic violence in the society.

“Any act, omission or commission or conduct of the respondent shall constitute domestic violence when it harms or injures or endangers the health, safety, life, limb or well-being, whether mental or physical, of the aggrieved person or tends to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse; or harasses, harms, injures or endangers the aggrieved person with a view to coerce her or any other person related to her to meet any unlawful demand for any dowry or other property or valuable security; or has the effect of threatening the aggrieved person or any person related to her by any conduct; or otherwise injures or causes harm, whether physical or mental, to the aggrieved person.

### **8.2 POCSO Act- 2012:**

Short Title: The Protection Of Children from Sexual Offences Act, (POCSO) was passed by the parliament in the year 2012. Long Title: Act to protect children from offences of sexual assault, sexual harassment and pornography and provide for establishment of Special Courts for trial of such offences and for matters connected therewith or incidental thereto.

### **8.3 The Role of Mughal King Akbar on Child Marriage:**

It is said that The Mughal King Akbar prohibited the child marriage. He raised the marriageable age of boys and girls to 16 and 14 respectively and made it obligatory for the parents to obtain the approval of both males and females before marriage for which the girl's age was 14 and boys 16.

## **9. Conclusion:**

In conclusion, I would like emphasize that sexual violence poses an obstacle to peace and security. It impedes women from participating in peace and democratic processes and in post-conflict reconstruction and reconciliation. As a tool of war it can become a way of life: once entrenched in the fabric of society, it lingers long after the guns have fallen silent. Many women lose their health, livelihoods, husbands, families and support

networks as a result of rape. This, in turn, can shatter the structures that anchor community values, and with that disrupt their transmission to future generations. Children accustomed to acts of rape can grow into adults who accept such acts as the norm. This vicious cycle must stop, as we cannot accept a selective zero-tolerance policy. Today's adoption of resolution 1960 (2010), on sexual violence, is an important step in that direction. It is for that reason that Slovenia joined in co-sponsoring it. Women are facing serious insecure circumstances in today's society. Women are being subjected to various sexual harassment like Rape and murder, sexual assault, acid throwing, war rape, sexual violence, sexual slavery, forced prostitution, woman trafficking, and so on. Violence against women one of the growing crime in India and a pervasive issue, constitutes one of the most serious forms of human rights violation. The violations force women to keep out of the social and economical life. Violence against women is not only a crime; it is also violates women's human rights. The Govt. of India should take care and necessary action against these burning issues otherwise the dialect "Beti bachao Beti Pordhao" will be meaningless.

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