

Violence against Women and Its Implications to Public Health: Human Rights Perspectives

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Abstract

Constitutionally Violence against women has long been a problem all over Indian states. The poor, women, Muslims, Dalits, Adivasis, or residents of certain areas, face overwhelming obstacles in obtaining justice. These obstacles include inaccessibility or hostility of the police and the criminal justice system; social sanction or the threat of retribution; harassment by insensitive law enforcement agencies; lack of resources to report crimes and pursue cases; poverty; and excessive control in the hands of armed and paramilitary forces in conflict-affected areas. Patriarchy, as well as notions of shame and "honour" associated with women's sexuality, combines to make the pursuit of justice even more difficult in incidents of violence against women. As a result, a large proportion of such incidents are never reported to the police. This violence ranges from very mild teasing to rape and murder, and takes place at home, in the streets, at work places, jails, in short everywhere. Few crimes against women are reported, fewer still prosecuted, and a negligent number of accused are actually punished. This article provides estimates of the extent of under-reporting of crimes involving violence against women for India and its states. Any society, in which half the population is not assured of safety, needs to reconsider its claim to being civilised.

Key Words: Women against Violence, Safety, Crimes, Human Right, Constitution of India

Article Received: 18 October 2020, Revised: 3 November 2020, Accepted: 24 December 2020

Introduction

Gender-based violence against women is continues to be a significant public health concern and a human rights violation. While women and girls are subjected to violence in the public and private spheres, (UNODC -2019), the home continues to be the most dangerous place for them. *Global Study on Homicide*, The Millennium Development Goals (MDG) commit the 191 member states of the United Nations to sustainable, human development and recognize that equal rights and opportunities for women and men are critical for social and economic progress. This must include addressing violence against women a concrete manifestation of inequality between the sexes. Now a day's world has been seeing violation against women as the biggest problems as a public health issue for all humans. It is an important risk factor for women's ill health, with far reaching consequences for both

their physical and mental health. This glossary aims to describe various forms of interpersonal violence that are directed towards women and girls.

Defining Violence against Women

Violence against women has been clearly defined as a form of discrimination in numerous documents. The term violence against women encompasses a multitude of abuses directed at women and girls over the life span. UN Declaration on the Elimination of Violence Against Women 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 in private life'. This inequality can be described in terms of opportunities and responsibilities and the atrocities that are rooted in the socio-cultural

loading concept of masculinity such as access and superiority over nature.

In 1993 World Human Rights Conference was held in Vienna and recognised gender-based violence as a human rights violation. In the same year, United Nations declaration, 1993, defined violence against women as any act of gender based violence that results in or is likely to result in, physical sexual or psychological harm or suffering to women, whether occurring in public or private life (Gomez 1996). The 2001 census shows that the sex ratio is continuing to drop at an alarming rate all over the country though the degree might differ from own state to other state. Essentially, violence, happens in three contexts the family, the community and the state and at each point key social institutions fulfil critical and interactive functions in defining legitimating and maintaining the violence

1. The family socialises its members to accept hierarchical relations expressed in unequal division of labour between the sexes and power over the allocation of resources.
2. The community (i.e., social, economic, religious, and cultural institutions) provides the mechanisms for perpetuating male control over women's sexuality, mobility and labour.
3. The state legitimises the proprietary rights of men, providing a legal basis to the family and the community to perpetuate these relations.

Women face risks circumstances are; Sexual exploitations, at risk from husband/ partner, and Women in sex work. Margaret Schuler has divided gender violence into four major categories namely, Overt physical abuse, psychological abuse, Deprivation of resources for physical and psychological well being, and Co- modification of women.

From womb to Tomb in India women face violence at every stage of their life cycle. VAW is enacted in the practices of female foeticide, female infanticide, girl-child neglect, physical and sexual abuse, child marriage, and sexual harassment in the work place, domestic violence and even dowry death. Although many of these practices are found in all countries, many expressions of VAW are particular to the Indian socio-cultural context. The institution of dowry, despite its illegality, is as ever present spectre, and while it remains, the problem of son preference and the embedded ideas of gender inequality will pervade.

Review of Literature

India was one of the first countries to elect a woman Prime Minister (Indira Gandhi, from 1966) and woman President (Pratibha Patil, from 2007). Despite or because of such achievements, India has a growing GBV problem (Himabindu et al., 2014; NCRB, 2016; Verma et al., 2017). Many factors affect GBV; Influences include wife's job, family income, and urbanisation (Babu & Kar, 2009; Peirotti, 2013: 255). Alcohol consumption by husbands increases GBV risk (Coast et al., 2012). GBV risk is lower for educated women (Babu & Kar, 2009; Peirotti, 2013: 255); education may improve gender equality (Himabindu et al., 2014). We might expect GBV prevalence to rise, if women reject traditional ideas: "conflict is likely to increase as their freedom increases" (Mittal, 2008). "According to the theory of patriarchal control, husbands develop standards of gratification for completely dominating their wives and children. When this domination is threatened they feel deprived, suffer psychic distress and in their uncontrollable rage they beat their wives for domestic domination" (Mathur, 1996: 48). Ranjithkumar (2018) studied on Inclusive Policy and Women Development: an Indian Experience. In his article he rightly pointed out, formal education helps to promote legal awareness among the women. Women's employment may challenge patriarchy, provoking violence: but "employment may be an effect rather than a cause, a means of survival rather than a manifestation of empowerment. If a woman has facing any problems in their family poor is one of the major problems for that, because of this poor they have been seeking a good job as well as their environment will not be stable. Women have to face some violence from society.

The present study tries to discuss about to Study on Violence against Women is an important public health problem, and an obvious violation of women's human rights. Since it is a review books, paper, and secondary data are taken for analysis like, UN Women, NCRB, NFHS, Sample Registration System and so on. The methodology of the paper basically revolves around the various literatures available on this particular subject area through the gender lens. The study assumes that violence against women leads to issues of public health.

Discussion and Observation

Table – 1

Violence against women in a comparative perspective with countries

Proportion of women (%) who have experienced, within their lifetime,			
Country	Sexual violence by intimate partner	Physical violence by intimate partner	Sexual and/or physical violence by anyone
Australia	8.0	25.0	57.0
Bangladesh	17.8	48.7	n/a
China	n/a	15.4	n/a
Denmark	6.0	20.0	50.0
Egypt	21.7	33.2	n/a
Finland	4.3	17.6	43.5
Germany	7.0	23.0	40.0
India	10.0	35.1	35.4
Kenya	17.2	37.0	45.1
Poland	5.0	15.0	17.0
South Africa	4.4	12.5	n/a
United Kingdom	3.8	18.9	n/a
United States	7.7	22.1	55.0
Vietnam	9.9	32.0	38.5

Source: UN Women 2011.

In India, one in every ten women reported facing sexual violence by their husbands during their lifetime. 35.1% of the sample women reported to surveyors of the third round of the NFHS in 2005-06 (on which the UN Women 2011 figures for India are based) that they have experienced physical violence by their intimate partners in their lifetime. 35.4% of the women had experienced sexual or physical violence, or both, during their

lifetime by anyone. Domestic violence in India is prevalent. Around 70% of women in India are victims of domestic violence, according to Renuka Chowdhury, former Union minister for Women and Child Development. Thomas Reuters Foundation survey (2018) says that India is the fourth most dangerous place in the world for women to live in India.

Table 2:

Comparison of sources of reporting and incidence of violence, 2005

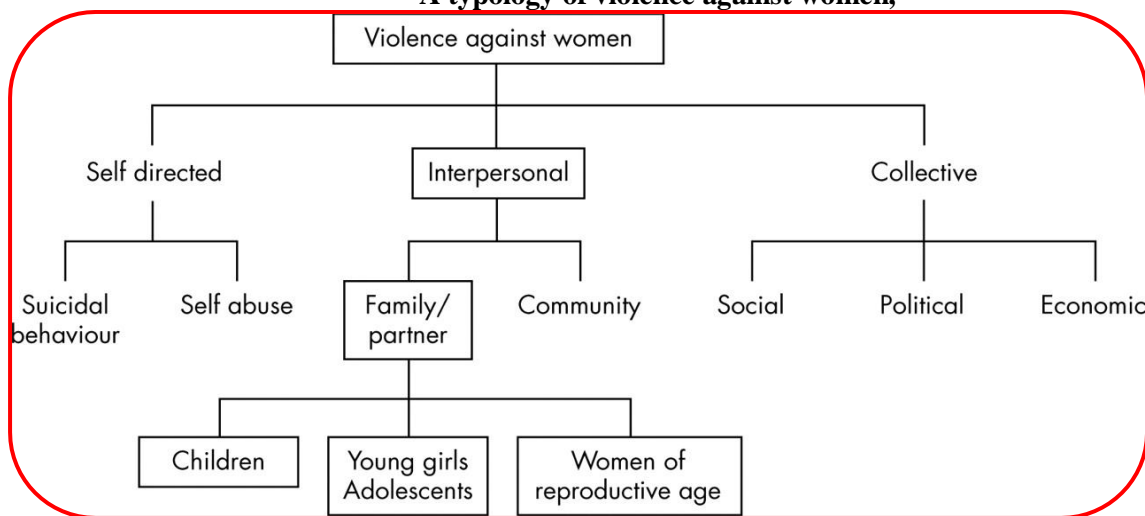
Type of violence	Reporting of violence (NCRB crime categories used)	Incidence of violence (NFHS questions and variables)
Sexual violence by men other than survivor's husband	Rape (1)	"In the last 12 months has anyone forced you to have sexual intercourse or perform any other sexual acts against your will?" (variables d124, d125)
Sexual violence by husband	Rape (1), cruelty (4)	"(Does/did) your (last) husband ever do any of the following things to you: physically force you to have sexual intercourse with him even when you did not want to?" (variable d105h)

Physical violence by men other than survivor's husband	Kidnapping and abduction (2), molestation (5), sexual harassment (6), immoral traffic (7)	"In the last 12 months, how often have you been hit, slapped, kicked, or physically hurt by this/these person(s): often, only sometimes, or not at all?" (variable d117a)
Physical violence by husband	Dowry Death (3), cruelty (4) dowry (8)	"How often did this happen during the last 12 months: often, only sometimes, or not at all? [Did] your husband a) Try to choke you or burn you on purpose? b) Threaten or attack you with a knife, gun, or any other weapon? (variable d105e, d105f)

Note: Variables used for estimating incidence of violence in brackets in column. The variables are from the "individual recode dataset" of NFHS-3.

Figure: 1

A typology of violence against women,



Source: Gunilla Krantz, and Claudia Garcia 2005: 818

Violence against women by men, especially their partner, is not a new issue; Some consider it to have started with a monopoly. What is new, however, is that violence against women occurs in a civilized society, and the government's insistence that citizens fully understand that such violence is no longer acceptable, and that we need to discuss the problem and the search solutions that put an end to that violence. Commonly we know that there are Types of the Violence such as; Physical Abuse, Sexual Abuse, Emotional Abuse and Financial Abuse.

Cause of violence against women

Following the rape and murder of the Delhi student (Nibiya) on December 12, 2012, there have been debates and discussions on the causes, remedies and punishments for crimes against women. For weeks, news concerning the rape and agitations that followed reigned supreme on the country's news channels. Active in these debates

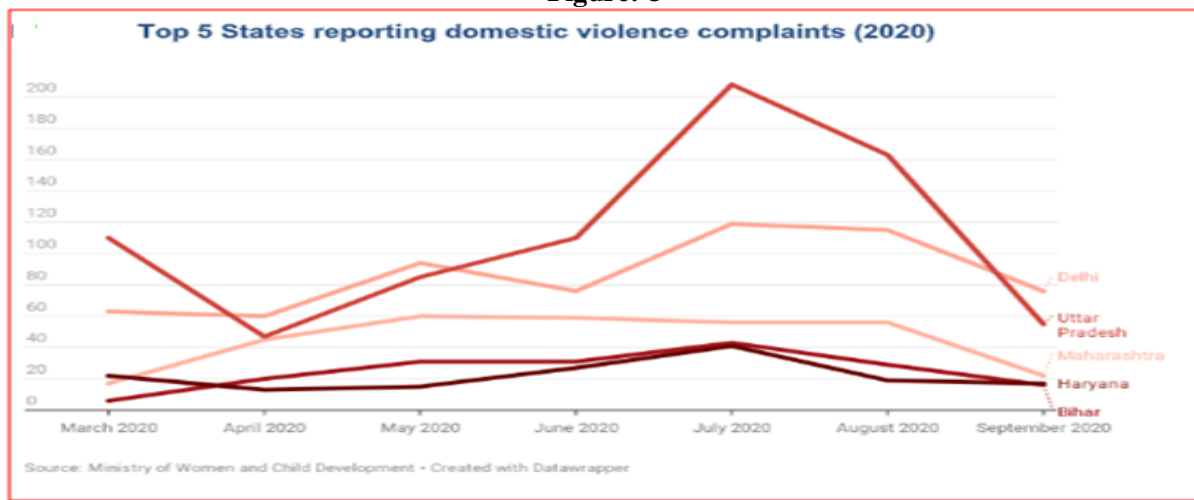
were law makers, lawyers, jurists, police officers, celebrities, and women's activists, but conspicuous by their absence were criminal psychologists who have studied rape as a phenomenon and examined the methods or modus operandi of rapists. McKibbin, Shackelford, Goetz and Starratt (2007) have studied rape from an evolutionary psychological perspective. Evolutionary psychology is a powerful heuristic that allows researchers to develop and test novel hypotheses about complex behaviours such as rape. Because of its patriarchal social system it continued and increased day to day. Another thing is we are strongly upholding orthodoxy culture.

As country after country announced lockdowns in the wake of the COVID19 pandemic, the "home" was seen as a refuge. However, the increasing instances of domestic violence beget the question on this *International Day for the Elimination of Violence against Women* is the home really a safe place for women? Globally, nearly 243

million women and girls between 15 to 49 years were subjected to sexual and/or physical intimate partner violence in the last year (UN Women, 2020). A survey of 122 community organisation shows that 85% of them reported a rapid increase in violence against women and girls (VAW/G) between March to September 2020 (UN Trust Fund to End VAW, 2020). This alarming increase in domestic violence has even earned a moniker, “the shadow pandemic.” The National Commission of Women (NCW) received 13,410 complaints of crimes against women between March to September 2020, of

which 4,350 were domestic violence. Complaints peaked in the March to May period, with 1/3rd of complaints being filed in these 3 months alone. Ravindran and Shah (2020) estimated in May 2020, an increase in domestic violence complaints in red zone districts was 131% higher than green zone districts with fewer restrictions. Red zone districts also saw much higher increases in complaints of cybercrime. Only 14% of women who have ever experienced violence seek help, thus making it clear that figures of reported violence are only the tip of the iceberg.

Figure:-3



The Ebola outbreaks (2014-20) demonstrated that various forms of violence are exacerbated in crisis contexts, including trafficking, child marriage, and sexual exploitation and abuse. VAW/G can negatively impact female labour market participation, earnings, mental health, child health, and household consumption, with economic costs ranging from 1-4% of global GDP. Our Indian government also has taking good efforts to abolishing the child and women abuse. In India, efforts have been made to ensure that existing government schemes such as One Stop Centres, Ujjawala Homes, and Emergency Response Support System remain operational. Notably, 33% of violence complaints were made via the NCW’s WhatsApp based helpline launched in April 2020, suggesting that a discreet method of reporting was much needed during the pandemic. State government initiatives, such as Uttar Pradesh Police’s “Suppress corona, not your voice” campaign, Odisha Police’s Phone-Up programme, Kerala State Commission for Women’s tele-counseling facility, Maharashtra Government’s Akshara Centres, Special Cell for Women and Children, and the Lockdown On Domestic Violence

campaigns were important steps, signalling intolerance for domestic violence across governments.

COVID-19 Pandemic Lockdown Media sources report a surge in the number of domestic violence complaints since the beginning of the COVID-19 pandemic lockdown in March 2020 (The Caravan 15 Apr. 2020; India Matters 8 Apr. 2020). Al Jazeera reports that the National Commission for Women (NCW) “said it registered 587 domestic violence complaints between March 23 and April 16 a significant surge from 396 complaints received in the previous 25 days between February 27 and March 22” (Al Jazeera 18 Apr. 2020). The Hindu reports that “from January 1 to April 23, the percentage of domestic violence cases out of the total cases registered with [one-stop centres] were 40% in January, 68% in February, 61% in March and jumped to 89% in April” (The Hindu 13 May 2020). The Diplomat, an international current affairs magazine reporting on the Asia-Pacific region (The Diplomat n.d.), notes that according to the NCW chairperson, “complaints are increasing every day” and “that

the number of such cases must be much higher, but many are not getting reported due to the constant presence of the abuser at home” (The Diplomat 17 Apr. 2020). According to an article published in The Caravan, an Indian English-language magazine, some organizations, however, report a decrease in the number of complaints they receive, which, according to them, can be explained by the constant and close presence of the abuser which does not allow the victim to call for help (The Caravan 15 Apr. 2020). A counsellor at the Centre for Social Research, a New Delhi-based non-profit organization, has noticed a new trend in the complaints they receive: “married women asking to be rescued from parental homes” and “mothers, fathers, stepmothers, and siblings being accused of domestic violence” (The Diplomat 17 Apr. 2020).

Constitutional Privileges

Article 14, 15 (i), 15 (3), 16, 19, 39(a), 39(d), 39 A, 42, 46, 51(A) (e) 243 D(3), 243 D (4), 243 T (3), and 243 T (4) given guarantee to women welfare. Even though still it is continued issues on them.

Legal Provisions

To uphold the Constitutional mandate, the State has enacted various legislative measures intended to ensure equal rights, to counter social discrimination and various forms of violence and atrocities and to provide support services especially to working women. Although women may be victims of any of the crimes such as ‘Murder’, ‘Robbery’, ‘Cheating’ etc., the crimes, which are directed specifically against women, are characterized as ‘Crime against Women’. These are broadly classified under two categories.

(1) The Crimes Identified Under the Indian Penal Code (IPC)

- Rape (Sec. 376 IPC)
- Kidnapping & Abduction for different purposes (Sec. 363-373)
- Homicide for Dowry, Dowry Deaths or their attempts (Sec. 302/304-B IPC)
- Torture, both mental and physical (Sec. 498-A IPC)
- Molestation (Sec. 354 IPC)
- Sexual Harassment (Sec. 509 IPC)
- Importation of girls (up to 21 years of age), etc.,

(2) The Crimes identified under the Special Laws (SLL)

Although not all laws are gender specific, laws affecting women are periodically reviewed and amended to suit emerging needs. Acts which have special provisions to safeguard to the women and their interests are: The Employees State Insurance Act, 1948, The Plantation Labour Act, 1951, The Family Courts Act, 1954, The Special Marriage Act, 1954, The Hindu Marriage Act, 1955, The Hindu Succession Act, 1956 with amendment in 2005, Immoral Traffic (Prevention) Act, 1956, The Maternity Benefit Act, 1961 (Amended in 1995), Dowry Prohibition Act, 1961, The Medical Termination of Pregnancy Act, 1971, The Contract Labour (Regulation and Abolition) Act, 1976, The Equal Remuneration Act, 1976, The Prohibition of Child Marriage Act, 2006, The Criminal Law (Amendment) Act, 1983, The Factories (Amendment) Act, 1986, Indecent Representation of Women (Prohibition) Act, 1986, Commission of Sati (Prevention) Act, 1987, The Protection of Women from Domestic Violence Act, 2005 and etc.,

(3) Special Initiatives for Women

- (i) National Commission for Women
- (ii) Reservation for Women in Local Self-Government
- (iii) The National Plan of Action for the Girl Child (1991-2000)
- (iv) National Policy for the Empowerment of Women, 2001

Dissuasion and Analyses

India recorded an average 87 rape cases record in 2019 and over the year 4,05,861 cases are filed in during the year. (It is increased 7% of crime comparatively - 2018. Particularly widespread on the dalit and poor women for exempling UP “Hathras” the women passed away on Sep – 20, 2020, which way. In 2018, 3, 78,236 cases crimes recorded VAW (NRBC) it means 32,033 cases of rape were lodged in 2018. 2017 – 32,559. According to data from compatibly yours, we can find crime rape registered one lakh women population stood at 62.4, in 2019. Compare with 2018 58.8 it showed government took lot of institutive but still it’s increased for what?

Still we are belief that men are superior women and inferior concepts are one of the main reasons of the women problems. simade-be-Bhoure, rightly point out that” women are second gender” in this world (Second-sex) because of the now a day’s more prevalent and increasing the day today “Violence Against Women” more broadly as aggressive behaviours that adversely and disproportionately affecting women it is may be physically mentally, verbally and any other for

min historically we look at women position are in Vedic period was the golden era for women in India. They were lived very glorious life on account of freedom and equality in the medieval era; onwards women are found hardships and restrictions. The after independence our constitutions enshrined the principle of equality liberty and social justice despite all the progress the predicament of the women continued. the present condition of women in India as per NCRB (2019) recorded revealed that, it's very pathetic condition former "Chief Justice of Delhi high court justice G Rohini said that physical and sexual violence which manifests the systematic violation of the right of women to live of life of human dignity so we can stated that as the major changes to women development and empowerment factor that:

- ❖ Patriarchy mindset
- ❖ Gender stereotype
- ❖ Lack of education
- ❖ Son preference
- ❖ Traditional and cultural practice
- ❖ Financial dependences

Lot of articles incorporated in the constitution about gender injustice and discrimination. According to "Livemint" 99% cases of sexual violence gone unreported practically where is having law literately there having were 0.5% of incidents of violence A W like Bihar, Uttar Pradesh, Jharkhand, Rajasthan etc., Its most want to be end. its almost north western state of Rajasthan reported almost 6000 rapes censuses 2019, followed U.P 3065, Cases. These figure are likely to be just the tip of the iceberg. Many f victims prefer to remain silent because of the social stigma attached to rape (Dec-12 2012, Nirbiya incident) only datil – 18 % (NCRB). Because we are deeply uphold the patriarchal society. A Dalit women is raped not just to punish and it humiliate to the women and also her family and community. Even though Nirbiya (2012) and Hathras (2020) has dram by national and internal attention. As per SCs & STs (Prevention of Atrocities) Act, A Crime Dalit is not a just crime apart from it is atrocity. such in is that mindset that India and world. now days Tamil Nadu Government also increased and continue the women and children by Tamil Nadu government took lot of initiatives including the Tamil Nadu policies crime against women and children until that has been operating last 7 years "Ammu Patral Vehicles" VAW strongly hinders women's full participation in society and maintains an oppressive and coercive pattern of control of man

over women. Ministry of women & Child Development towards a new down submit by Tanisha, Khandelwal, symposia statistical Institute, Pune). The princely of gender equality has been enshrined in constitution of India, MDG and SDG also. Even though, women are victims of any of crimes. Fortunately also addressed in comprehensive way Like: Beti Bachao, Beti Padho, one stop Centre. Has been sex UP for support of women who face violet VAW is a serious cause of concern as it also deprives women of their freedom and other safety rights which is very bad indicates for any country development. (Page-3) . According to NCW and DVW received 2043 complaints of crime against women in June 2020. According to rape by Thomson Reuters Foundation, child line officials have reportedly stopped 5,200 child marriages between March 2020 and May 2020 in north southern state of Tamil Nadu to western Maharashtra.

"Crime rate registered showed an increase from 21.2 (per lakh population) in 2018 to 22.8 in 2019. Crime head-wise cases revealed that simple hurt with 28.9% (13,273 cases) formed the largest chunk of cases of crimes/ atrocities against Scheduled Castes during 2019. It was followed by cases under SC/ST (Prevention of Atrocities) Act with 9.0% (4,129 cases), and cases under rape with 7.6% (3,486 cases)," says the report. UP reported the most cases against Scheduled Castes – 11,829 cases, accounting for 25.8 per cent of the cases across the country. It was followed by Rajasthan (6,794 cases; 14.8 per cent) and Bihar (6,544; 14.2 per cent). However, the rate of such cases was highest in Rajasthan at 55.6 (per lakh population), followed by MP (46.7) and Bihar (39.5). Rajasthan also had the highest number of rapes against Dalit women (554), followed by UP (537) and MP (510). The rate of rape against Dalit women was highest in Kerala at 4.6 (per lakh population), followed by MP (4.5) and Rajasthan (4.5).

Suggestions/Recommendations for police implication

- ❖ First should be give sensitize to an about women rights and their issues.
- ❖ Child rearing method should be taught to everyone.
- ❖ There should be proper awareness on women help line in India.
- ❖ Students should contact schools and college and address based on gender balance as a human.
- ❖ Should bring awareness on preventive legal measures Domestic Violence Act 2006.

- Education is an instrument that can completely eliminate this domestic violence. The more awareness we create among people, the more they stand against this evil.
- To fight intimate partner violence, preventive strategies that challenge present gender stereotypes are required.
- Health care staff, district and community leaders are key persons in building knowledge, shaping opinions, and showing the way forward and therefore shoulder a responsibility to address the subject of violence against women.
- Documentation and evaluation are key elements in building such knowledge and clear definitions are an important element to achieve this.

Conclusion

Many local and national organizations exist to combat violence against women and to promote gender equality, and these vital efforts deserve increased support. At the international level, the WHO Global Campaign for the Prevention of Violence aims to increase awareness about the impact of violence on public health and the role of public health in its prevention, and seeks to support governments in their efforts to prevent violence and to develop policies and programs for control over the violence on them. There is nothing "natural" or inevitable about men's violence toward women. Attitudes can and must change; the status of women can and must be improved; men and women can and must be convinced that violence is not an acceptable part of human relationships. And domestic violence is a crime against women, yet it is observed that, it is increasing day by day in the world. Therefore, necessary steps to be taken to prevent the domestic violence. In order to provide a healthy atmosphere for women, all kinds of legal supports should be given. Severe punishment should be given for the abusers without mercy. Women should be treated equally with men.

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. Apparently discussing this

material is a way to reduce the tolerance of society towards violence against women. Although there is still limited knowledge about what interventions are most effective in the prevention of gender-based violence, the documentation and evaluation of which are key elements in constructing this knowledge and clear definitions are an important element of this.

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