



Violence: A shadow of women

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ABSTRACT

The women in society always had the equal rights, dignity and respect, which here is meant by the God made creation and the same has been endorsed by Chanakya in Arthshastra, whereas on the contrary to this the practice of discrimination is prevailing through the man made societal cultural rules as depicted by the incidents taken place in the society against the natural rule. Dharma Shastra has always emphasized to give a respectful status to a woman and India being a Country of rich cultural heritage witnessed that women prayed and praised as Goddesses, which are having the unique roles as mother, house maker or strongest pillar of the family; though we also witnessed the era of changing dimensions of such status contrarily, which can be seen as Customary societal practice that impacts a woman as dependent on the parents till she marries, after marriage on her husband, such dependency reflects on her status with men as lower and influential by manly society, but women are often plonked at various disadvantageous platforms due to hermaphroditic discrepancy and bias, due to this she been targeted and victimized of violence and ill treatment by the gender based domination by the society all over the world.

Keywords: Women, Violence and Discrimination

1. INTRODUCTION

Human rights and fundamental freedoms should be birthrights, but across the globe some countries fail to accord human rights to women. Moreover, women are often victims of human rights abuses. “Women’s human rights are abused when they cannot participate in decisions that affect their lives and are denied political participation and fair representation, when they are prevented from going to school or receiving health care, when they face discrimination in employment, when they are denied equal rights to own land and property, when they suffer from violence within their homes and when they are subjected to harmful traditional practices such as genital mutilation and honor killings[1].

“For centuries pass, women from all over the world have not only been denied full justice, social, economic and political but as a weaker sex they have been uses, abused, exploited and then discarded to lead immoral, street vagrant and destitute life till their death” [2].

As per the report each year 1.6 million people across the globe lose their lives to violence and infused as amongst the leading cause of death for people aged 15-44 years worldwide, moreover violence places a massive burden on national economies, costing countries a huge financial burden each year in health care, law enforcement and lost productivity [3].

In the words of the President Barak of the Supreme Court of Israel, “this is the fate of democracy as not all means are acceptable to it, and not all methods employed by its enemies are always open to it. Sometimes democracy must fight with one hand tied behind its back. Nonetheless, it has the upper hand. Preserving the rule of law and recognition of individual liberties constitute an important component of its understanding of security. At the end of the day, they strengthen its spirit and the strength allows it to overcome its difficulties” [4].

Table I: A Statistics of violence faced by Women by current or former intimate partner as per the official records [4].

Countries	Year of data as provided by the Country	Percentage of women victims
India	2006	23.9
Afghanistan	2015	46.1
Italy	2014	1.9
Nepal	2011	14.3
Hungary	2014	6.0
Kenya	2014	25.5
Liberia	2007	36.3
Philippines	2014	7.0

Mali	2013	26.3
Namibia	2013	20.2
Rwanda	2014	20.7
Solomon Island	2007	41.8
Uganda	2011	34.6
United Kingdom of Great Britain and Norway	2014	5.0

Table II: A Statistics of violence faced by Women by other than intimate partner since aged 15, as per the official records [4].

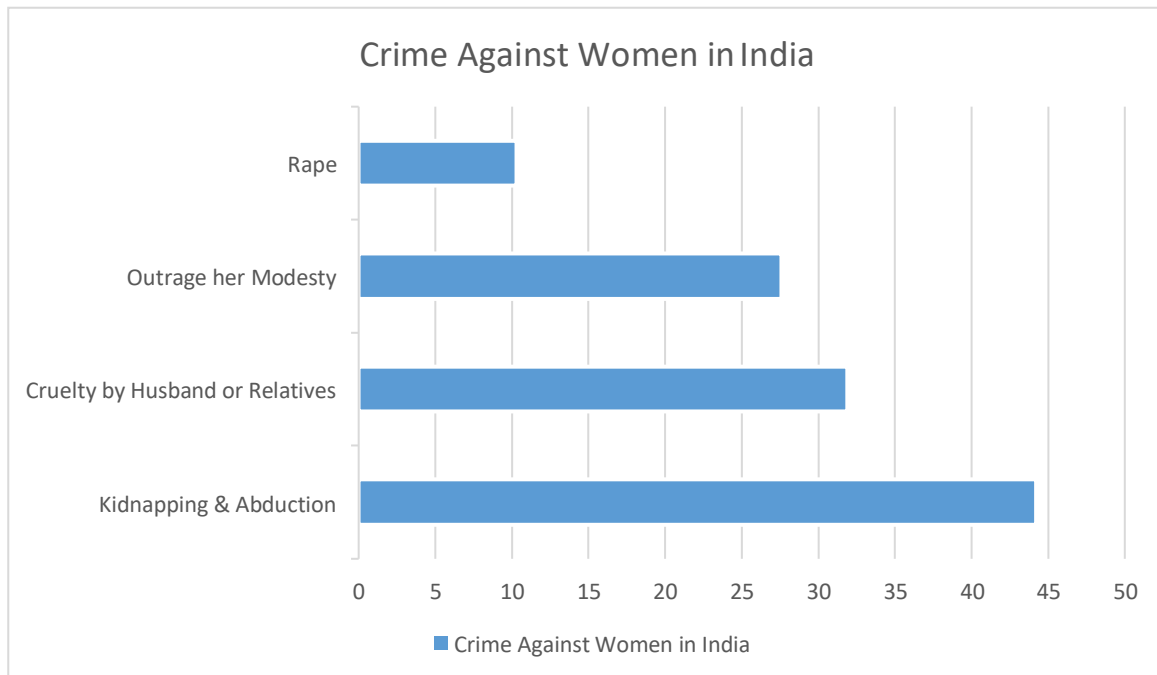
Countries	Reference Year	Percentage of women victims
India	2006	N.A
Afghanistan	2015	N.A.
Italy	2014	17.5
Nepal	2011	N.A
Hungary	2014	3.0
Kenya	2014	N.A.
Liberia	2007	N.A
Philippines	2014	N.A
Mali	2013	N.A
Namibia	2013	6.4
Rwanda	2014	N.A
Soloman Island	2007	18
Uganda	2011	N.A
United Kingdom of Great Britain and Norway	2014	7.0

Analysis based on Table I and Table II: as it is clearly visible from both the tables that the world's major nations like U.S.A, China, Russia and others have not provided the data pertinent to the issues

raised on the aspects of violence against women and also many countries though provided the data but they have not provided the data in its completeness. The data reflects the criminality perspectives against the women across the world (based on the data put into this article as per the convenience of the author), as it can be clearly seen that in almost all the countries there are significant numbers of cases of violence against the women.

The Indian statistics:

Source: National Crime Record Bureau 2018 and can be accessed at www.ncrb.gov.in



The Laws related to Women are as follows:

A. Table III: Crimes under the Indian Penal Code 1860

Crimes under IPC	Sections under IPC
Rape	376
Attempt to Commit Rape	376/511
Kidnapping & Abduction of women	363, 364, 364A, 365, 366 to 369
Dowry Deaths	304B
Outrage the Modesty of a Women	Section 354
Insult to the Modesty of Women	509
Cruelty by Husband or his relatives	498A
Importation of Girl from Foreign Country (upto 21 years of age)	366 B
Abetment of Suicide of Women	306

B. Table IV: Crimes under the Special and Local Laws

The Dowry Prohibition Act 1961
The Indecent Representation of Women (Prohibition) Act, 1986
The Commission of Sati Prevention Act 1987
The Protection of Women from Domestic Violence Act, 2005
The Immoral Traffic (Prevention) Act 1956

The Perspective: United States of America

The perspective was also alike in the country like U.S.A in a report it was stated that “Approximately 4 out of every 10 non-Hispanic black women, 4 out of every 10 American Indian or Alaska Native women (43.7% and 46.0%, respectively), and 1 in 2 multiracial non-Hispanic women (53.8%) have been the victim of rape, physical violence, and/or stalking by an intimate partner in their lifetime” [5].

Though the legal mechanism exclusive for the women always provides an additional support to women and families affected by violence

The major laws regarding the violence against women under U.S. are:

Violence against Women Reauthorization Act 2019

The Family Violence Prevention and Services Act: under this act the assistance and help is extended to the victims of the violence and their children by providing the shelter and resources [6].

Merits of the aforementioned Act [7].

- It enhances the mechanism of Judicial activism protection of the Government tools on violence against women.
- Expansion of STOP grants to address and respond to incidence of domestic violence.
- Emphasizing on bullying incidents.
- “Preventive measures” education to the students.
- Expansion of the training aspects or campus health centers
- Early childhood programs and training assistance.
- Expansion of housing protection for survivors
- Federal Victim Assistant
- Torrential programs for Sexual Assault service Program
- Civil Legal assistance for victims
- Safe Heaven Project

- Protection of employees who are survivors for unemployment insurance
- Federal crime database for tribal access and tribal criminal jurisdiction over non-Indian perpetrators of domestic violence, sexual assault, dating violence, stalking and trafficking for all trafficking for all federally recognized Indian tribes and Alaskan natives.

The Groups supports to the above act:

1. National Task Force To End Sexual And Domestic Violence
2. National Coalition Against Domestic Violence
3. National Coalition of Anti-Violence Programmes
4. NAACP
5. National Hispanic Leadership Agenda and Casa de Esperanza

The act has been reauthorized several times despite of the critiques of the opposition leader in the senate of the United states, although there are related development under the VAWA like Office Federal Government groups has been developed to violence including the White House Council on Women and Girls and also White House Task Force to Protect Students from Sexual Assault[8-9].

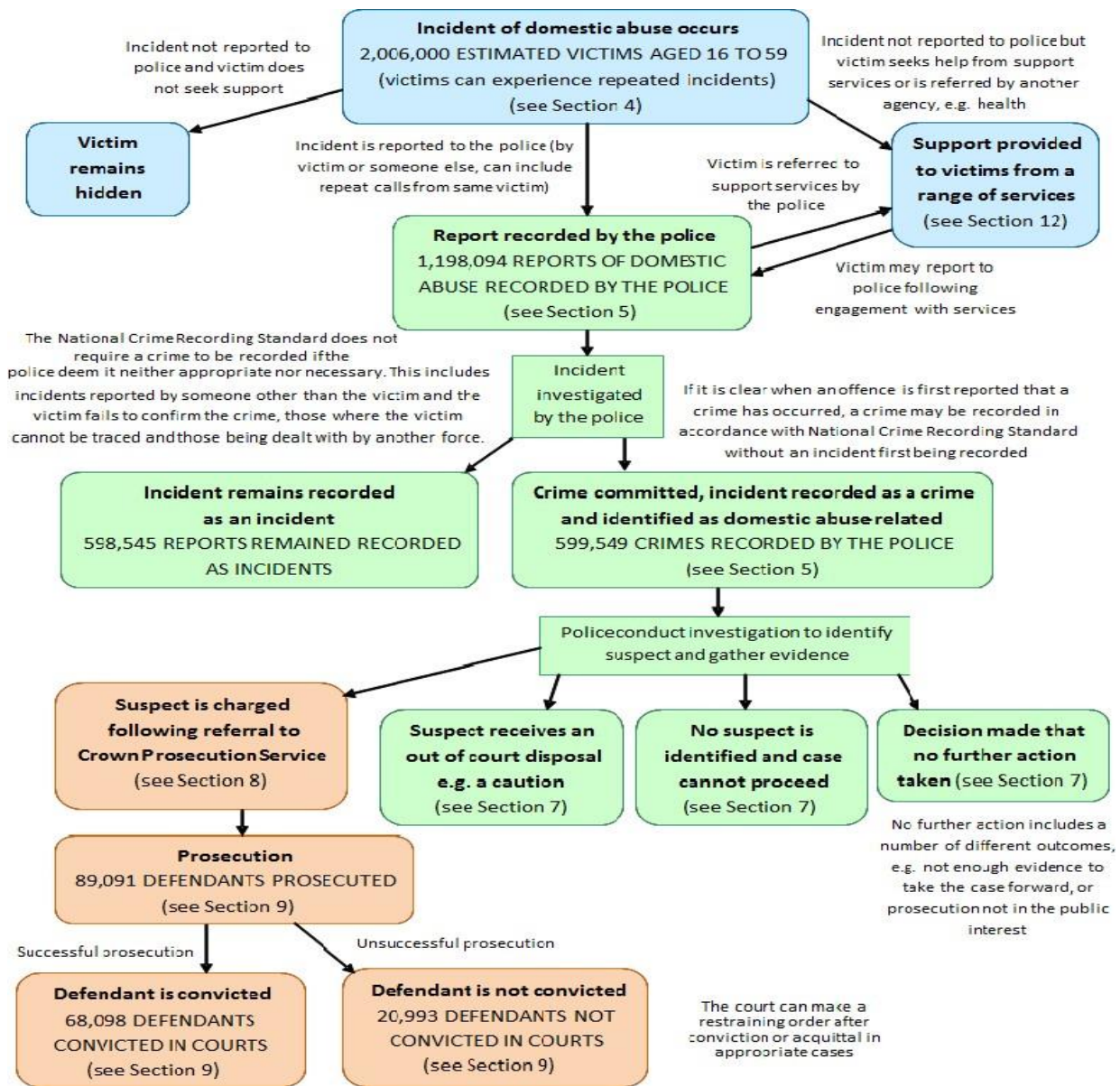
The Perspective:United Kingdom

United Kingdom is also a victim of the violence against women in the form of rape, domestic violence, sexual harassment, stalking, crimes in the name of honor, female genital mutilation, trafficking and forced marriages which continues to scramble the lives of women and girls which undermines their participation at every level of society [10].

“Women are trafficked into the UK for exploitation in prostitution, as well as into domestic service, bonded labour and for marriage. The government’s under-identification of abuse in the trafficking process and an over-hasty process of dealing with women results in too many trafficking victims being viewed and treated as illegal migrants” [11].

It was also observed that in matters related to the recourse to public funds there is a gray shade sync with the unsettled immigration status which in general don’t have an access to public provision, including shelters and social welfare benefits [12-13].

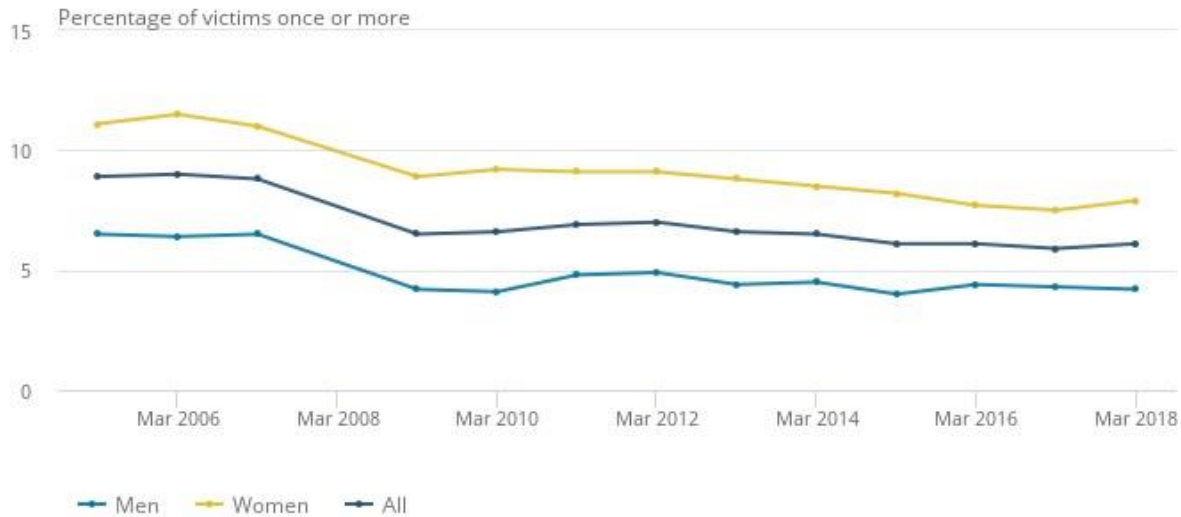
The Interlinkage across the criminal Justice system in England and Wales, year ending March 2018:



Source: retrieved from Office for National Statistics, England and Wales, London, 2018, can be accessed at: www.ons.gov.uk

Figure 2: Prevalence of domestic abuse in the last year for adults aged 16 to 59 years, by sex

Crime Survey for England and Wales, March 2005 to year ending March 2018

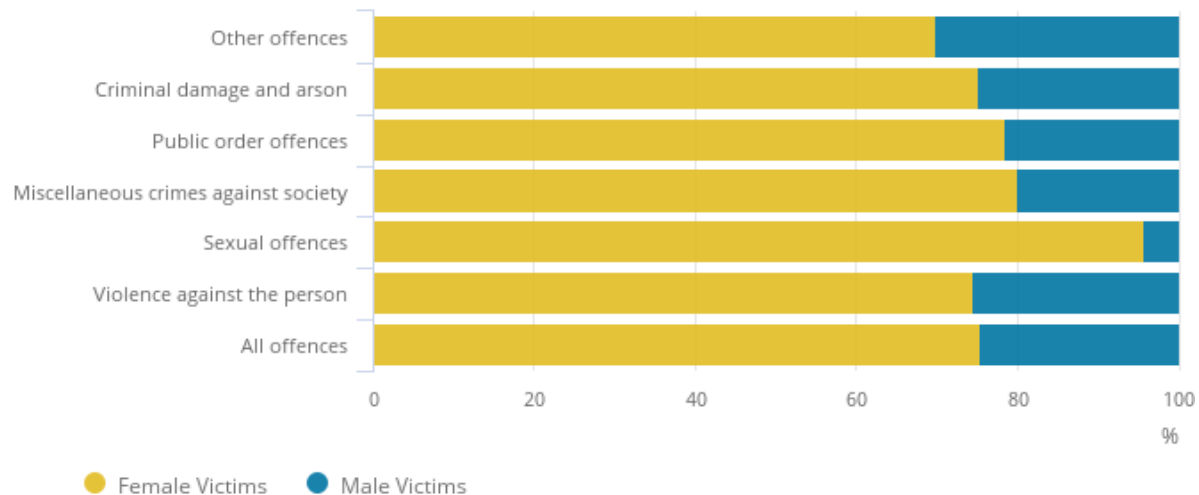


Source: Crime Survey for England and Wales, Office for National Statistics

As per the report under the column of domestic abuse it was pointed out that around twice as many women reported experience of partner abuse in the year 2018 than men (6.3% compared with 2.7%) .

Figure 5: Proportion of domestic abuse-related offences recorded by the police by sex of victim, selected offence groups (28 forces)

Year ending March 2018, England and Wales



Source: Police recorded crime, Home Office Data Hub

Source: retrieved from Office for National Statistics, England and Wales, London, 2018, can be accessed at: www.ons.gov.uk

The above stated figure clearly points that the ration of against the crime against the women is more than that of men which also indicates the practices followed even by the societal fulcrum of the developed nation[14].

As per the report [15]the following are the indicators to be addressed to the community at large and the gray shaded of the Judicial, societal and thought process fulcrum in the United Kingdom:

- Lack of adequate balance between the rights of families and defendants
- Inadequate understanding of linkage between violence against women and economic, social and cultural rights.
- No strategic plan of action on violence against women for the UK as a whole .
- Failure in integration across notions and regions.
- Lack of Self Defence Education to all category of people

The domestic Laws of United Kingdom against the violence against Women [16].

Acts and Statutes
1. Protection of Freedom Bill, 2012 Note: for stalking offences in England and Wales
2. Trafficking and Exploitation Bill, Northern Ireland, 2014 [18]
3. The Abusive Behaviour and Sexual Harm (Scotland) Bill 2015
4. Serious Crime Act 2015
5. Sexual Offences Act 2003
6. Sexual Offences (Scotland) Act 2009
7. Protection of Freedom Act 2012
8. Prohibition of Female Circumcision Act 1985
9. Female Genital Mutilation Act 2003
10. Prohibition of Female Genital Mutilation (Scotland) Act 2003

The UK government further extended their efforts to eliminate the violence against the women(European Institute for Gender Equality, 2020) in UK by launching the following:

- “Scotland strategy for preventing and eradicating violence against women and girls” [17].
- “Right to Be safe”, strategy [18].
- “Ending violence against Women and Girls”[19].
- Signed “Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)” [20].

2. CONCLUSION

It has been observed that the violence against the women in any form of society anywhere in the world was routed in women’s unequal status which often reflects the unbalance and dark area pertinent to the distribution of social, political and economic power amongst men and women in civilized society. Discrimination impacts or likely to impact the physical, sexual, psychological or economic harm or suffering to women.

There are always the development in the criminal Justice system but there are always the shortfalls of the

approaches towards the removal of the root causes of flaws under such system, the violence can be seen through the official records of the countries increasing day by day, the paradigm shift always a raising voice since long which always seems to be unheard, unidentified, unnoticed and also unsettled. The legislations are the sole of the criminal Justice system but it the time that the society should mould their approaches towards the discrimination and violence against the women and increase their public participation in curbing this menace. The situation considerably worsen year by year despite of the International norms and regulations which are considered as the safeguards and protector of the rights of human beings without any gender bias approach i.e. like Universal Declaration of Human Rights 1948, Convention of Elimination of all forms Discrimination against women and several other meticulous instruments.

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