

A STUDY ON GENDER VIOLENCE – ISSUES AND INTERVENTIONS

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Abstract: Gender injustice taking shape of crimes against women has increased all over the world and India is no exception to this. The Indian mythology placed women on a very high pedestal but deterioration in their glorious status suffered a socio-cultural setback resulting in loss of their freedom. Women continue to suffer from increasing tide of violence both inside and outside homes. Domestic violence is an ongoing experience of physical, emotional and/or sexual abuse faced by women within the household. Our country today is at the cusp of a paradigm change in its growth and position in the world. Empowerment of women has multiple, inter-related and interdependent dimensions in relation to resources, perceptions and power to take their own decisions. Educational attainment and economic participation are the key components in ensuring their empowerment which enhances their ability to influence changes and to create a better society. Empowerment of women has multiple, inter-related and interdependent dimensions in relation to resources, perceptions and power to take their own decisions. Educational attainment and economic participation are the key components in ensuring their empowerment which enhances their ability to influence changes and to create a better society.

Keywords: Gender Violence, Sensitization, Counseling, Indian Penal Code, Women Empowerment.

Introduction: Violence affects the lives of millions of women worldwide, in all socio-economic and educational classes. It cuts across cultural and religious barriers, impeding the right of women to participate fully in society. Violence against women takes a dismaying variety of forms, from domestic abuse and rape to child marriages and female circumcision. All are violations of the most fundamental human rights. Domestic violence is an ongoing experience of physical, emotional and/or sexual abuse faced by the women within the household. The abuser could be husband/and or other members from natal or marital families. It is all the more paradoxical that while world attention and focus is on improving the status of women through better health, education and employment facilities, the woman is becoming threatened in her very home.

Causes of Domestic Violence: With more and more women becoming independent and voicing their opinions, marriage has become a battlefield of clashing egos. Men, who are yet to get over the attitudes of treating wives as subordinates cannot meet the challenge of women with their own minds. They resort to violence to keep control. The feeling that a woman or wife is something that you own as your property is deeply etched in the psyche of men. Supreme Court advocate Indira Jaisingh says 'It is the mindset of men that they have absolute right to determine the lifestyle of their wives that gives rise to clashes. There are cases where the woman hands over all her earnings to her husband, who then decides how it should be spent. If there is no dowry coming then the woman's salary is seen as a substitute to it. Many women who go to NGO's or Crime on Women Cell do not want to leave their husbands. All they want is that their husbands be taught a lesson that they cannot beat their wives. They are now realizing that being beaten up for not dancing to their husband's tune need not be justifiable. They have to understand that what is happening to them is wrong.

Men have always been taught to perceive themselves as the superior sex that makes them believe they have to control their wives, especially if they are considered disobedient. Equally disturbing is the finding that two of every five women in an abusive relationship in India remain silent about their suffering because of shame and family honor. The studies have also shown, nearly one-third of the Indian women experiencing abuse had thought about running away, but most said they feared leaving

their young children and had no place to go. Activists felt that for intervention strategies to succeed attitudes about violence would have to change and the level of awareness, among both men and women, about the negative impact of violence had to be raised. The meaning of gender and sexuality and the balance of power between women and men at all levels of society must be reviewed. Combating violence against women requires challenging the way that gender roles and power relations are articulated in society. In many countries women have a low status. They are considered as inferior and there is a strong belief that men are superior to them and even own them.

It is also important in order to prevent violence that non-violent means be used to resolve conflict between all members of society. Breaking the cycle of abuse will require concerted collaboration and action between governmental and non-governmental agencies including educators, health-care authorities, police personnel, legislators, the judiciary and the mass media. In India, one incident of violence translates into the women losing seven working days. In the United States, total loss adds up to 12.6 billion dollars annually and Australia loses 6.3 billion dollars per year. It has been observed that women with tangible economic assets were less likely to be victims of domestic violence than those who lack them. In Kerala, a survey found that 49 per cent women without property reported domestic violence compared with only seven per cent who owned property.

Changing people's attitude and mentality towards women will take a long time, at least a generation, many believe, and perhaps longer. Nevertheless, raising awareness of the issue of violence against women, and educating boys and men to view women as valuable partners in life, in the development of a society and in the attainment of peace are just as important as taking legal steps to protect women's human rights. The family counseling centres have been set up by Police department in every state in India and supported by the state governments provide legal services in cases of violence related to dowry, harassment by in-laws, child marriage and rape. Despite efforts by governments and campaigns carried out by international organizations, violence against women has been continuing on a wide scale in both developed and developing countries. Women in several countries justify wife-beating for one reason or another. The reasons include neglecting children, going out without telling partner, arguing with partner, refusing to have sex, not preparing food properly or on time and talking with other men.

Interventions:

Health Sector-an ideal site for Intervention: Doctors and nurses are in a unique position to identify abuse and refer women for counseling. A woman is more likely to share the actual cause of injury or reason for suicide with a doctor than anybody else. By just treating her for visible symptoms, the doctor is just providing first aid and not really treating her fully. Domestic violence was not recognized as a public health issue till recently. It is considered as a personal matter by the health workers who think it is an accepted norm, part of married life and not as a violation of woman's rights. They consider it a law and order problem and so believe that the police should look into it. It is therefore necessary to sensitize first of all the health workers at all levels to domestic violence and train them to screen, identify, document and refer women suffering from domestic violence for counseling. Violence at home is a violation of woman's human rights and it has to be understood as a human rights as well as public health issue.

Sensitization of Police Personnel: The Sub Inspectors who are directly responsible for investigating the crime by and large have an inhuman attitude toward incest and raped women. The victims fear the gruelling interrogation sessions more than the criminal does. The policemen ask the victim obscene questions. The reason behind these can be seen from two points of view. Firstly, the ordinary policeman is ill equipped to deal with the difficult and sensitive cases of domestic violence and secondly, the social background from which the policemen are drawn is itself found to be wanting in its behavioral attitude towards the female sex. Many of them do not want to even register FIR against the abuser despite seeing the woman battered. She is sent back and many times the husband starts to torture her even more or sometimes burns or kills her. The women police officers can handle these cases better. It is of paramount importance to sensitize the police personnel who record the woman's statement. The police force needs fundamental changes in concept, attitude, training and above all motivation. There are also

examples of individual initiatives like creation of special cells in Delhi to deal with crimes against women. The legal requirements also sometimes are a stumbling block for the enforcement machinery. Be it rape or dowry death, gathering evidences are difficult. Constant rapport between NGO's and police can be helpful to the victim.

National Commission for Women: Government of India set up a Committee in 1971 known as the Committee on the Status of Women in order to deal with the problem of atrocities against women. In order to ensure the implementation of various measures, the committee recommended the constitution at the centre and in states of a commission. It is indeed surprising to note that the government took sixteen years to give effect to the recommendation of the committee for setting up a National Commission. The Commission has been entrusted to investigate and examine all matters relating to safeguards provided for women under the Constitution and other laws, presentation to the central government annually and at other times reports upon the working of those safeguards. Making recommendations for the effective implementation of the laws as well as suggesting amendments, remedial legislative measures to meet any lacunae, inadequacies or shortcomings in such legislations has been done by the Commission from time to time. Undertaking promotional research, participating and advising on the planning process of socioeconomic development of women, inspecting jails, remand homes, women's institutions or other places of custody of women, funding litigation involving issues affecting a large body of women are other duties of the commission.

Legal Aid: It is very important that some legal assistance is given to women in need who want to have redress of their rights through court of law but their financial position does not permit them. In this context, it is important to study the concept of legal aid. The Legal Services Authorities Act is one of the most valuable pieces of social legislation that Parliament adopted in the 40th anniversary year of Indian independence. To meet the challenge of increasing domestic violence, the Criminal Acts were amended in 1983 and 1986 to create special categories of offences dealing with cruelty to wives, dowry harassments and dowry death. The first amendment introduced a new section cruelty to wives under 498-A of Indian Penal code. Although it aimed to deal with dowry harassment and suicide, it was wide enough to cover the incidents of domestic violence also because the word dowry as such is not mentioned. It includes physical as well as mental violence or cruelty. The section is an effective deterrent to violent husbands if the judiciary and police interpret and enforce it in the right spirit. Denial of food, insistence on perverse sexual conduct etc. were held to be examples of domestic violence for registering cases under IPC. Further, the Law of Evidence was also amended to provide presumption in law against husband, his relatives if a married woman commits suicide within seven years of marriage.

Domestic Violence Prevention Act, 2005: The passing of The Domestic Violence Prevention Act by Supreme court deals with domestic violence as any action, omission or conduct which is of such a nature as to harm or has the potential of harming or injuring the health, safety or wellbeing of a woman or a girl child. Such violence could be physical, sexual (without her consent), verbal, mental or economic. Verbal and mental abuses include insults, ridicule, humiliation, degrading or name calling especially with regard to not having a child or a male child. The provisions of the Act are not limited to those women who are in relationship with the abuser by way of marriage but it also covers other relationships with family members living together as a joint family. The affected woman can approach the court which is empowered to pass a 'Protection Order' to prohibit the respondents from committing acts of domestic violence, prevent her from being removed from the house and prohibiting the respondents from entering her house, in case she decides to live alone. A significant aspect of the ruling is that even a friend of the victim can file a petition in the court for relief on behalf of the victim with her written consent. The court which shall try offences punishable under this Act can also pass a monetary relief order to enable her to meet her expenses and the needs of her children; loss of earning, medical expenses, maintenance including for the children; loss on account of damage or removal of property and compensation for domestic violence inflicted upon her. The breach of order will be a cognizable offence and shall be punishable with imprisonment which may extend up to 3 years or fine up to Rs. 20,000 or both.

Women, the most important constituent of human society have always been the focus of attention of different social and political reformists, thinkers and philosophers, social scientists and planners. Entry of women in and their bitter experience of different sectors like public, private or agricultural is not satisfactory, unfavourable and not even honourable. Public sectors do not care for the working women's problems such as housing, medical care etc. Wage problem is also challenging as women are paid much less than their male counterparts especially in the unorganized sector. They feel insecure and sometimes also become victims of sexual exploitation.

What women need is enhancing their self-esteem and empower them to realize that being a victim will not solve the problem of violence but they have to take action and lead happy and productive life without losing their identity. Empowerment has multiple, interrelated and interdependent dimensions with respect to perceptions, relationships and the power to take their decisions independently. Educational attainment and economic participation are the key components in ensuring their empowerment. This will help them act as agents of social change and create a society where they are respected and their participation is considered important.

Recommendations:

Certain recommendations to enhance the process of empowerment of women are as follows:

- Participation in crucial decision making process
- Ability to prevent violence by not being a silent victim and thinking that it is their fate
- Awareness of their social and political rights through provision of legal literacy
- Establishment of special courts to deal with cases of crime against women
- Setting up a time limit for the disposal of cases against women
- Attempts should be made to prevent delay in investigations of crimes like rape, dowry deaths etc.
- Gender sensitization to ensure equality and removing discriminatory practices should be brought about in society
- A person convicted of an offence under Dowry Prohibition Act should face dismissal from service.
- Mandatory Crime (Women) Cell should function in every Police station and powers given to DGP (Crime/women) to take cases and offences related to women.
- National Commission for Women be given more powers than just be a recommendatory body. Its branches should be established in every district so that violation of human rights of women can be reported.
- Legal aid should be made available to women in distress.
- Declining the acceptance of dowry, fighting against female foeticide, infanticide, fewer children in the family
- Enhancement of education of female children
- Intensive health care programmes that increase women's awareness
- Women NGO's should be involved in all decisions taken affecting women

Communication media are a powerful tool for the creation of an alternative and positive image of women and could promote new attitudes and strategies for action directed towards the achievement of the goal of equality for women. They should portray images consistent with human dignity of girls and women and not encourage demeaning, degrading and negative, conventional, stereotypical images of women and violence against them. Women themselves will have to come forward, start taking their own decisions regarding their life. They have to walk those few steps, which will get them at par with men. But this cannot be possible without a change in the attitude and a change in the views of their family members. The need of the hour is not simply to criticize the social or cultural or political structure but the actual empowerment of women in all spheres of life in order to enhance their status. Women have to voice their opinion against the parochial mindset of the society and seek implementation of existing legislations so that they can live their lives with respect and dignity.

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