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## GENDER BASED VIOLENCE AND THE CONSTRUCTION OF COMMUNAL IDENTITY

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**Abstract:** Gender based violence caught the attention of feminist studies a long time ago but was recently recognized as a valid concern by the international community. The atrocities of recent wars committed against women during conflicts have raised questions about the root causes of gender based violence. Answering these questions means dealing with gender and violence as two interconnected notions and to structure violent behavior according to its perpetrators, victims and aims. This paper sets out to explain the term gender based violence and to describe the ideological base of identity politics that uses women's bodies as a battlefield in its struggle to appropriate institutional power.

Imposition of patriarchal values has been an important component of communal politics in India. By patriarchal norms we mean a value system in which men have control over the lives of women. Communal politics is based on the hatred of 'other religion' and is inherently oppressive to the weaker vulnerable sections of the society, including women. This ideology upholds such form of patriarchal norm which inflicts both overt and covert violence against women because of the belief that women are the property of men and thus the most vulnerable means of avenging the communal conflict.

This paper is an attempt to explain how communalism is operating within the patriarchal structure of power and implies the advocacy of violence; often sexual violence against women.

**Keywords:** Gender violence, sexual violence, women, women's studies.

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**Introduction:** Gender based violence is not new a phenomenon. It is an umbrella term for a wide range of violations from rape to sexual abuse. It usually occurs throughout the world in different forms and different social context. Gender based violence can occur against any person or gender, in many situations men are also victimized. But women and girls are more vulnerable to any kind of violence. So in this paper the focus will be on violence experienced by women and girls in context of communal conflicts in India.

Article 11 of the UN Declaration on the elimination of violence against women defines gender based violence as "Any act of gender based violence that result in or likely to result in physical sexual or psychological harm or suffering to women including threat of such act coercion or arbitrary deprivation of liberty whether occurring in public or private sphere".(UN Declaration,1948)

**Gender Norms in India and Violence against Women:** Women are disproportionately the victim of gender based violence that reinforces female subordination by male perpetrators. Subordination of women to men is prevalent in India where women are treated as inferior to men and subjected to discrimination, humiliation, exploitation, oppression, control and violence in many forms. These forms of violence are embedded in enduring patterns of kinship and marriage and exacerbated by the contemporary political and economic tensions (Marry, 2009). Women treated unequally in terms of even their basic rights to food, health care, employment, education, decision-making and livelihood control over production and reproduction.

The reason of this unequal treatment is not the biological difference which is natural but the socially constructed gender differences.

The process of social construction of gender starts with an assignment to a sex category on the basis of what genitalia look like at birth. The sex category of a baby becomes the gender by naming, dressing and other gender markers. Boys are made to behave masculine and girls taught to be feminine. As Simone De Beauvoir said in her notable work "second sex", "One is not born, but rather becomes, a woman...it is a civilization as a whole that produces this creature which is described as feminine" (Simone De Beauvoir 1953,276).

During 1970s Radical feminism emerged as a major branch of feminism that criticizes traditional family as a prime source of patriarchal oppression of women. They expanded the concept of patriarchy by defining it as a worldwide system of subordination of women by men through violence and sexual exploitation and sees violence against women as a continuum from sexual assault, rape and prostitution to other forms of sexual violence. Radical feminists argue that patriarchy is a social and ideological construction which considers men as superior to women (Geeta,2006). Sylvia Walby in 'Theorizing Patriarchy' calls it "a system of social structure and practices in which men dominate, oppress and exploit women" (Walby, 1990). It is a system of unequal power relationship between men and women that leads to men's control over women's production, reproduction and sexuality and imposes masculinity and femininity character stereotypes in family and society.

**Women and Communal Violence:** The rapid spread of communalization from the last two decades is also an important factor that leads to violence in society in which women became the most vulnerable victims to this violence which is often sexual violence. Patriarchy is one of the major tools that lead to communal violence. It is not simply structurally interrelated with other systems of inequality, in fact the patriarchal ideologies and violence exists in class, caste, family, community and state that govern day to day life and exists in determinate and increasingly reciprocal relationship to communal violence. The caste and patriarchy as a system of coercion have generated transferable modalities of violence that constituted to moral and modest behavior for women to restrict, safeguard and control women's sexuality that has ranged from militaristic to domestic (Sangari, 2002,pg 89)

The identity of a community is constructed on the bodies of women that work to undermine solidarities by dividing women within family, caste, class, as well as across culture and religion. Identity formation is defined by and through the aggression on women. Caste and community is the medium of this aggression especially in the situation where there is a precipitation of caste and community interests, women of particular communities are targeted for attack. (kalpana,1996 pg 32)

Fighting for the interest of the community is considered masculine (Sjoberg, 2010). In order to render a community as oppressed or under domination, highly gendered terms are used. For the sake of this, most of the times, sexual violence is specifically used against enemy populations. The argument of revenge of one community against another community also raises the question as to why this revenge takes the forms of sexual violence. In communal violence the answer to the query lies in fact that sexual violence against one community occurs in retaliation of sexual violence suffered by the other community and that's how the incidences of harassment or rape where the victim and perpetrators belong to different communities, are exploited for fabricating communal riots.

There are various ways in which identity formation takes place most commonly through the rape of women of minority community or lower caste women by men of majority community or higher castes which signifies the rape of a community or caste to which the women belongs and is justified by demonstrating its inherent immorality, e.g. in 1992 Bhanwari Devi a forty two year old lower caste women in Rajasthan was gang raped in presence of her husband and rickshaw puller by the higher caste landowner and politically powerful persons when she is taking the issue of child marriages. This type of violence occurs to show the dominance in society.

Structural violence is an important dimension of violence that takes place in a very systematic way to take revenge or to dishonor other community or family. Women became the most vulnerable victim of this violence for example mass rape in communal conflict is used as a tool, a tactic, a policy that is done by some men against certain women for specific reasons. The worst of this violence is seen in the manifestation of communal riots where women are the multidimensional victims. Even during the partition riots, women were subjected to inhuman tortures and humiliation by means of gang rapes, mutilation of private parts and tattooing on body parts of women victims. Thousands of women were gang raped in front of their family members. The violence at that time also ritualized in its purposeful attempt to desecrate the most reserved spaces of all, such as violence in Masjid and Mandir. These violent acts had specific symbolic meaning and physical consequences to describe women's bodies as territories to be occupied, marked or claimed. Rapes of women in religious places and also in front their family members were also reported. Apart from rape or sexual assault many women were abducted and forced to convert. Abduction, rape and other kinds of sexual violence in 1947 were carried out in a much more calculated way, with an intention to demoralize and defame communities through women's bodies. During this violence women's bodies were used to communicate hatred revenge, destroying, or polluting communities to which these women belong (d'Costa, 2011 pg 48). Same was the fate in Gujrat carnage of 2002 where violence occurred between Hindus and Muslims in several cities of Gujrat over a very discomfoting issue. A feminist report on this violence offers a detailed evidence of the extent of rape and assault on women as part of this violence. The event was framed as a defense of "real Hindu men". One activist reported an incident where Hindu men exposed their penis and said "your men are weak, we're strong enough to fuck your own women" (11j:2003). Raped were often carried out in front of their family member in or order to humiliate the entire community.

It is interesting to know that most of the riots have been sparked off by spreading rumors that women of one community have been eve-teased or molested by the men of the other community. The Muzaffarnagar riots too had similar reason of provocation. During the month of September October 2013 Muzaffarnagar and Shamli witnessed a severe communal conflict between Jat and Muslim communities. This area of Uttar Pradesh (UP) has recently known for Jat Khap Panchayats endorsing murders of girls in the name of honor. The eruption of violence in this area between Jat and Muslim communities evidently started with an incident in Kaval village, a Muslim majority village

in the district of Muzaffarnagar. On 27 August 2013, Muslim boy Shahnawaz "eve – teased" a girl who belonged to a Jat community. Her brother (Sachin Malik) and cousin (Gaurav Malik) from Malik Pura Majra, right next to Kaval, accosted Shahnawaz and killed him in an attempt to protect their sister's honor. Later these two boys killed by the people who assembled there. Following this incident the vicious circle of violence with brutality began by the majority community with the provocative slogans. Mass rape and sexual violence against women were freely used as an instrument of asserting power and authority of one community. That's how the whole concept that a woman's honour is the honour of her family and community is exploited every time in communal conflicts.

**Conclusion:** Thus, violence against women in a communal conflict is of grievous consequences which leave women abused and scarred for the rest of life. Failure of law and order machinery and the lax attitude of the State are major factors which abet violence against women in communal riots. A communally violated woman undergoes deeper psychological, physical, and sexual atrocities. She requires more care and concern and also adequate measures must be taken by the government to bring them back into normal life. Every communal riot and its women-victim should be given high priority in terms of protections and safeguarding from further abuses.

### References

1. D. C. Bina. "Nationbuilding, Gender and Crims in South Asia". USA and Canada: Routhledge. (2011).
2. V. Geeta. "Theorizing Feminism". Kolkata: Stree. (2006).
3. K. Jayawardhana. "Embodied Violence: communalizing women's Sexualities in South Asia". London & New Jersey: Zed Books. Fact Finding and Assessment Report Muzaffarnagar and Shamli District, Uttar Pradesh by Aman Biradari Partnered by Islamic Relief India. (1996).
4. L. Judith. "The Social Construction of Gender". Sage Publication. (1990).
5. Ritu Menon. "No Women's land". New Delhi: Kali for Women. (2004).
6. K.P. Muralidharan (eds.). "Communalism: Civil Society and State". New Delhi: Sfar Hashmi Memorial Trust. (2002).
7. T. Neeru. "Feminism: A Paradigm Shift". New Delhi: Atlantic publisher and Distributors (p) LTD.
8. S. L. Sandra. "Gender, War, and Militarism Feminist Perspective". (2010).
9. M. S. Engle. "Gender Violence: A Cultural Perspective". Wiley-Blackwell. (2009).

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