

Violence Against Women in India-A Socio Legal Study

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Abstract: *Violence against women is a serious problem of the Indian society, which is a major stumbling block for the Indian society to be transformed as a means of prosperity and social justice. In particular, due to the circumstances, there is a need for more information and study about this, so that we can understand the problem and solve it. Through this research paper, we will analyze various aspects of violence against women, its causes, consequences, and solutions*

Keywords: Criminal, India, Violence, Legal etc

I. INTRODUCTION

The history of violence against women (VAW) is linked to the history of mankind. Many forms of abuse are described in our ancient epics such as the Mahabharata and the Ramayana. There have been global efforts to end VAW. The United Nations (UN) Declaration on the Elimination of VAW (1993) states that "VAW is a manifestation of historically unequal power relations between men and women, which have led to the domination and discrimination of women by men." full advancement of women, and VAW is one of the important social mechanisms by which women are forced into a subordinate position compared to men.¹

The United Nations produced documents aimed at ending VAW and giving women equal status with men. In all countries, in all cultures, efforts should be made to make the UN Declaration known and respected.

Violence against women (VAW), also known as gender-based violence² and sexual³ and gender-based violence (SGBV),⁴ is perpetrated primarily or exclusively against women or girls. are violent acts committed by men or boys.

¹ A/RES/48/104. Declaration on the Elimination of Violence against Women. United Nations. [Last accessed on 2014 Aug 17]. Available from: <http://www.un.org/documents/ga/res/48/a48r104.htm>.

² Russo, Nancy Felipe; Pirlott, Angela (November 2006). "Gender-based violence: concepts, methods, and findings". *Annals of the New York Academy of Sciences*. Taylor and Francis and Oxfam. 1087 (Violence and Exploitation Against Women and Girls): 178–205. Bibcode:2006NYASA1087..178R. doi:10.1196/annals.1385.024. PMID 17189506. S2CID 34389352.

³ Krantz, Gunilla; Garcia-Moreno, Claudia (October 2005). "Violence against women". *Journal of Epidemiology and Community Health*. BMJ Group. 59 (10): 818–821. doi:10.1136/jech.2004.022756.

⁴ [Sexual and Gender-based Violence](#) (WHO)

Citations:

- Angelari, Marguerite (1997). "[Hate crime statutes: a promising tool for fighting violence against women](#)". In Maschke, Karen J. (ed.). *Pornography, sex work, and hate speech*. New York: Taylor and Francis. pp. 405–448. ISBN 9780815325208.
- Gerstenfeld, Phyllis B. (2013). "[The hate debate: constitutional and policy problems](#)". In Gerstenfeld, Phyllis B. (ed.). *Hate crimes: causes, controls, and controversies*. Thousand Oaks, California: Sage. p. 58. ISBN 9781452256627.
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Such violence is often considered a form of hate crime,⁵ which is perpetrated against women or girls specifically because they are women, and can take many forms.

VAW has a long history, although the incidence and intensity of such violence has varied over time and varies between societies even today. Such violence is often seen as a mechanism to subjugate women, whether in society in general or in interpersonal relationships. Such violence may arise from the perpetrator's sense of entitlement, superiority, misogyny or similar attitudes, or from his violent nature, especially against women.

The United Nations Declaration on the Elimination of Violence against Women states, "Violence against women is a manifestation of historically unequal power relations between men and women" and "Violence against women is one of the important social mechanisms by which Women are forced into a subordinate position" compared to men.⁶

Kofi Annan, Secretary-General of the United Nations, declared in a 2006 report posted on the website of the United Nations Development Fund for Women (UNIFEM):

Violence against women and girls is an epidemic problem. At least one in three women worldwide has been beaten, forced to have sex, or otherwise abused in her lifetime, usually by someone she knows.⁷

Violence against women in India is a complex and widespread issue with deep socio-cultural, economic and legal dimensions. Understanding this problem requires examination of the various factors contributing to its prevalence, as well as analysis of the legal framework to address and prevent such violence. A socio-legal study outlining the major aspects of violence against women in India is given below:

Socio-cultural factors:

Patriarchal society:

- India has a deeply rooted patriarchal culture where power dynamics are in favor of men.
- Gender-based discrimination and stereotypes perpetuate the idea of male superiority.

Early marriage and dowry:

- Practices such as child marriage and dowry contribute to women's insecurity.
- Dowry disputes often result in violence against brides.

Social stigma:

- Victims often face social stigma, discouraging them from reporting incidents of violence.
- The fear of social ostracism and victim blaming further aggravates the problem.

Lack of education:

- Limited access to education for women may perpetuate their dependence on male family members.
- Education is an important factor in empowering women and challenging traditional norms.

⁵ "A/RES/48/104 - Declaration on the Elimination of Violence against Women". United Nations General Assembly. Retrieved 6 August 2014.

⁶ Citations:

- Angelari, Marguerite (1997). "[Hate crime statutes: a promising tool for fighting violence against women](#)". In Maschke, Karen J. (ed.). *Pornography, sex work, and hate speech*. New York: Taylor and Francis. pp. 405–448. ISBN 9780815325208.
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⁶ "A/RES/48/104 - Declaration on the Elimination of Violence against Women". United Nations General Assembly. Retrieved 6 August 2014.

⁷ Moradian, Azad (10 September 2010). "Domestic Violence against Single and Married Women in Iranian Society". Tolerancy.org. The Chicago School of Professional Psychology. Archived from the original on 25 April 2012. Retrieved 1 March 2015.

Economic factors:

Economic Dependence:

- Women's economic dependence on men can make it difficult for them to escape abusive relationships.
- Financial insecurity can trap women into abusive environments.

Unequal employment opportunities:

- Gender-based discrimination in the workplace limits women's economic freedom.
- Unequal pay and limited career opportunities contribute to women's insecurity.

Legal Framework:

Law against domestic violence:

- The Protection of Women from Domestic Violence Act, 2005, provides legal remedies to women who face domestic abuse.
- There is a need to improve implementation and awareness of these laws.

Sexual Harassment Law:

- The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, addresses workplace harassment.
- Enforcement and awareness are important for effective implementation.

Law against dowry:

- The Dowry Prohibition Act, 1961, criminalizes giving or taking dowry.
- Strict enforcement is needed to tackle dowry-related violence.

Criminal Law:

- Indian Penal Code (IPC) sections deal with crimes like rape, kidnapping and cruelty against women.
- Legal processes often need to be streamlined to ensure timely justice.

Challenges and Recommendations:

Under reporting:

- Encourage a supportive environment for victims to report incidents without fear of stigma.
- Raise awareness of available legal remedies.

Legal Reforms:

- Regularly update and strengthen existing laws to reflect emerging social norms.
- Improve the efficiency of legal processes to expedite justice.

Community Education:

- Promote gender sensitization and education from an early age.
- Challenge stereotypes through media and educational programs.

Economic empowerment:

- Enact policies that promote equal employment opportunity and equal pay.
- Provide vocational training and support for women's economic independence.

NGO and Community Partnership:

- Support and collaborate with non-governmental organizations (NGOs) working on women's rights.
- Promoting community partnerships to address and prevent violence against women.

Addressing violence against women in India requires a multi-pronged approach that combines legal reforms, social awareness and economic empowerment. It is essential to create a culture that respects and upholds women's rights, as well as challenges deep-rooted stereotypes and norms.

Violence against women in India is a challenging problem that affects the social, economic, and mental structure of the society. This problem destroys the social status of the society and affects all the families and groups of the society. Some key points that can be included in the epilogue on violence against women are:

Change in social sentiment: There is a need to change the social sentiment of the public against violence against women. Education and sensitization should be promoted to guarantee respect and safety to women by changing negative perceptions in social context.

Legal and judicial steps: To comply with strict laws that ensure women's rights, and help them get justice. Furthermore, prompt legal action and judicial process is important in protecting and supporting women.

Education and training: It is important to educate women, educate them about their rights and freedoms, and train them for self-protection.

Change in social structure: For society to promote equality and inclusion of women, there needs to be change in traditional religious, cultural, and social structures.

It is important to address these points to end violence against women so that we can ensure equality, support, and respect in society in general.

Appreciation

Definition and Types of Violence Against Women: In this section, we will define different types of violence against women, such as physical, mental, economic, and cyber violence.

Causes and Motivations: In this section, we will analyze the major causes and motivations of violence against women, such as social, economic, and familial factors.

Consequences and Effects: In this section, we will analyze the consequences and effects of violence against women, such as physical injuries, mental problems, and social distancing.

Solutions and Policies: In this section, we will examine various policies, programs, and initiatives to address violence against women.

Stored data and media

For this research paper, primary and secondary collected data will be used. Primary data will be collected through surveys, interviews, and focus group discussions, while secondary data will be collected through various research types from written sources, books, and the internet.

Violence against women in India

Violence against women is a worrying problem in India, which is found in all sections of the society. This violence manifests in different forms, such as physical, mental, economic, and cyber forms. Following are some of the major causes of violence against women:

Impact of social and cultural practices: Traditional social and cultural practices have an impact of inequality towards women, which can lead to violence.

Legal and judicial deficiencies: Lack of legal provisions, delays in compliance with the law, and lengthy judicial processes may render women unable to access justice.

Lack of rights: Women's lack of rights also leads to violence, such as their lack of freedom and their personal space.

Lack of education and literacy: Most women lack education and literacy, which can leave them unable to know their rights and obtain the necessary information to protect them.

Family traditions: Sometimes family traditions and life-giving practices can encourage violence, such as dowry, female murder, and molestation.

This problem can be solved through education, literacy, legal action, social awareness, and encouraging equality in society. Injustice against women not only affects them but also harms the society and hinders the development of the society.

II. CONCLUSION

In India, violence against women refers to physical and sexual harassment inflicted on women by their male counterparts. Domestic violence, sexual harassment, murder, crimes against women trafficking, rape, acid throwing and dowry are all examples of violence against women in India. Through this research paper, we will help in understanding the types, causes, effects of violence against women, and the solutions that are needed to solve this problem. In this way, we will be able to help transform society towards prosperity, social justice, and equality. The changing factors that can provoke vandalism inside the four walls of homes must be carefully eliminated and a thorough investigation of the factors causing violence can prevent a family from experiencing the ill effects of the threat of abusive behavior in the home. Is. Domestic cruelty may in reality have a much broader and more profound impact than what is described in this paper. There is a need to look carefully at the relationship between the elements that provoke a specific structure of

aggressive behavior in the home. If these elements can be controlled, any kind of evil can be prevented from harming any individual or our general public and India will become a better place to live.

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