



REVIEW OF RESEARCH

ISSN: 2249-894X

IMPACT FACTOR : 5.7631(UIF)

VOLUME - 12 | ISSUE - 11 | AUGUST - 2023



ADDRESSING VIOLENCE AGAINST WOMEN: NEED FOR COMPREHENSIVE EFFORTS

Dr. Deepan Pandey

Assistant Professor of Law at Sikkim Government Law College, Gangtok.

ABSTRACT:

Violence against women is a globally relevant concern and has various forms. All such violence is challenge to the fundamental human rights. Despite social and religious sanctions against it, the problem is growing in all cultures. Perpetration of violence against women is the result of deep rooted social psyche of women being inferior to men. Therefore the problem cannot be eradicated only by legislations. Educational, economic, legal, human rights and health measures are necessary to effectively counter this evil.

KEY WORDS: Violence, human rights, gender, violation, eradication, education, awareness, legislation, empowerment.



INTRODUCTION:

Human Rights are the birth right of every human beings and their protection is the responsibility of the Governments. The Preamble of the United Nations Charter clearly mentions of the equal rights of men and women and is also reaffirmed in the Universal Declaration of Human Rights. The International initiatives that are taken for the protection and safeguard of women have the core idea of ensuring gender equality and non discrimination on the grounds of gender. Further, women due to their peculiar physical, social and other conditions need special protection for them to be able to be equal to men without which enjoyment of all human rights does not become possible. The deplorable condition of women in general can be attributed to various reasons such as discrepancies between some national legislations and international laws and instruments on human rights, overly complex administrative procedures, lack of awareness within the judicial process and inadequate monitoring of the violation of human rights, underrepresentation of women in justice systems and politics and government, insufficient information on existing rights etc. Today women are increasingly using the legal system to vindicate their rights globally, in many countries lack of awareness of the rights contribute to the prevention of enjoyment by women, of their rights and attainment of equality. The experience in some of the countries has shown that the empowerment of women is possible through awareness regardless of their educational and socio-economic status. For the proper redressal of the violations of the human rights of women and more particularly women in vulnerable circumstances, knowledge of recourse mechanisms is imperative. Women must have full knowledge of their rights and access to legal recourse against any such violation. The current work seek to identify a few globally common areas of concern where women's human rights are blatantly violated and seeks to suggest measures for their eradication for ensuring effective protection of human rights of women.

SEX SELECTION

Son preference has a bearing on both the mother and the newborn. The bias affects women in many countries particularly in Asia and mostly in India and China. The consequences of son preference range from foeticide and female infanticide to neglect of the girl-child over her brother in terms of nutrition, basic health, education, domestic work load, financial support, employment, exposure, freedom etc. Studies show that women in these countries prefer to abort a female foetus and the abortion of girl foetuses is far more than the male ones. With awareness and stringent laws and implementation, the menace has come down significantly but genetic testing and sex selection is still a booming business particularly in India.

EARLY MARRIAGE

Early marriage of women often without her consent is another form of human rights violation. Early marriage followed by multiple pregnancies has detrimental effect on the health of women which lasts for the whole life. Many countries have relevant legislations requiring a minimum age of men and women for marriage. However, due to ignorance, illiteracy and community norms and convictions, such dogmas continue to affect the human rights of women in many countries.

DOMESTIC VIOLENCE:

Domestic violence is perpetrated against women in developed and developing countries alike. There lies a strong social psyche of patriarchy and women being inferior to men. The instances of domestic violence have long been considered a private matter by bystanders including neighbours, the community and even governments. Very often such private matters have turned into public tragedies which have entailed everyone to see domestic violence as a serious matter concerning not only the victim but the gender and community as a whole.

SEXUAL ASSAULT

There are widespread cases of sexual assault by husband on his wife. In many countries it is not considered as a crime and the wife is expected to submit to the ill intent of the husband. It is very difficult for a woman to prove that sexual assault has occurred unless she can put forward the evidence of serious injury. Often there are subtle sentences in such cases which send an adverse message to the perpetrators and people at large that victimization of women is unimportant.

FEMALE GENITAL MUTILATION:

The United Nations has declared Female Genital Mutilation as a human rights violation. It is one of the most heinous violations inflicted against women where a procedure is performed on a woman or girl to later or injure her genitalia for non medical purposes. It is prevalent in different parts of the world and mostly in Asia, Africa, and in the immigrant and refugees families in Western Europe and North America. In some it was a well kept secret but has been revealed through various journalistic and academic researches. There is a growing consensus that the best way to eliminate these practices is through educational campaigns where women are given information of its dangerous health consequences. Many governments have been vigorously promoting and supporting such campaigns.

DOWRY-RELATED VIOLENCE

Dowry related violence is a major human rights challenge for women in some countries. In these countries wedding is preceded by the payment of an agreed-upon dowry by the bride's family. If the bride's family fails to pay the dowry the consequences may sometimes be serious. Violence is meted against the bride, which ranges from disfiguring with the help of acid, bride burning often leading to death, etc.

RAPE

Rape is another form of human rights violation. Though it has a long lasting effect on women's psyche, it is a common form of violence against women. It may occur anywhere- in the family in the form of incest or marital rape, in the community, at workplaces, educational institutions, hospitals, camps etc. The want of proper awareness and education, the menace is prevalent at large. Change in the mindset of the entire society is needed to effectively curb this menace. There is a need of sensitivity trainings for the police and healthcare workers too who work with victims.

SEXUAL HARASSMENT

Abuse of authority at workplace often leads to sexual harassment which is a growing concern amongst working women. Employers and superiors abuse their power to seek sexual favours from female subordinates or co-workers by creating hostile work environment for them or promising career advancements. On refusal of such unwanted advances women face several work related disadvantages. With the identification of this menace and with proper laws in place in many countries, women have started coming out and speaking against it. Often women take such matters to the courts for vindication.

TRAFFICKING AND PROSTITUTION

Human trafficking is a common problem which is done for the purpose of forcing the women into slavery or prostitution. Trafficking on girls and women is often carried out in order to misuse women or their sexual exploitation for business purposes. Many women are forced into prostitution by their parents, husbands or boyfriends. Often it is the result of their poor economic conditions. In developing countries women are lured into prostitution by some persons or agencies which initially promise to find them marriage partners or good jobs outside their native place. Women are ultimately confined in a brothel and live in a vulnerable situation. The brothel owners and pimps take most of the income and women get only a small percentage of total income. Besides, they are exposed various kinds of health risks, mostly, sexually transmitted diseases. Prostitution is illegal in many countries and that is why women are unable to speak for their rights and protection. Also customers are rarely the object of Penal Laws which forces the women to live in brothels in slavery like conditions. There is a need to device a strong mechanism to check cross-border trafficking of women which has reached alarming proportions. There is also a need to legislate on the subject whereby the work condition, health, income, dignity etc of women are protected.

INDECENT REPRESENTATION AND PORNOGRAPHY

One of the major areas of concern where women's human rights are blatantly violated is their indecent representation and pornography. These represent a form of violence against women. These reduce women to a subordinate function as mere receptacles for male lust.

CUSTODIAL VIOLENCE

It is a harsh fact that the very people who are supposed to protect women on many occasions violate their rights. Almost in all parts of the world, women are in a vulnerable condition in police detention centres as they are routinely raped, suffer verbal and sexual abuse and sexual and physical torture. There is a necessity for the states to prosecute such police personnel accused of abusing women while in detention and hold them accountable for their actions. There is a need for stringent laws and their effective implementation to curb these inhuman acts.

WOMEN IN SITUATIONS OF ARMED CONFLICT

Armed conflicts become a situation for women to lose their dignity and become victim of the soldiers. Rape is often used as a weapon of war. Girls and women are frequently victims of gang rape. It is sometimes done in the name of ethnic cleansing or for trample the dignity of women. Many women are coming out to voice their concern and speak against such violence. Raping of women in armed

conflicts is the symbolic rape of the community and is the violation of fundamental elements of the society and culture. There is a need to hold such perpetrators fully accountable.

In the past few decades some countries have taken steps towards improving the legislations relating to violence against women. There are a lot of evidences where the cases of human rights violations have been exposed and have been effectively dealt with. However lots of initiatives are still needed to be taken to effectively curb the human rights violations of women. In regard to the effective protection of women's human rights following suggestions may be forwarded.

1. There should be special bodies to coordinate the development of policy, legislation and law enforcement as well as community education about the human rights of women at the national level.
2. Time bound action plans need to be prepared and carried out which should focus on community action, strengthening of legal frame work, establishment of various services and develop resources to help victims and stop offenders.
3. There should be adequate basic amenities ensured for the victims of human rights violations.
4. Women's role in economic, social, political and cultural life must be strengthened.
5. Special Courts must be designated to try the cases of violence against women.
6. Psychological treatment of the women victims should be ensured. There must be special and trained police officers to assist the victims of violence.
7. Strong advertising campaigns must be initiated by the governments through all press and electronic as well as digital media to educate and raise public awareness against various evils practised against women. There should be pro-active agencies keeping vigil over the cases of their human rights violations.
8. There should be Effective implementation of CEDAW at the national level. Proper legislative initiatives should be taken to uphold the Convention in letter and spirit.
9. Understanding of the governments, human rights workers and advocates and the international community must be enhanced regarding the women issues and the peculiar special attention that it needs and also the peculiar manner in which they should be handled.
10. The most difficult task in ensuring the protection of women is the patriarchal mindset. There is need to counter the way that gender roles and power relations are perceived in the society. Women are considered inferior and this is deeply rooted in the psyche of the society. Combating and eradicating bias against women require concerted efforts at the local, national and international levels. States should ensure that any legislation for the protection of women should be implemented effectively. It is only through prevention, protection and advocacy strategies that women's human rights can be effectively protected.

Effective legislations at the national level, countering gender stereotyping, monitoring human rights violations in the private sphere and ensuring effective protection thereto, greater role to women in the political, social, economic and public sphere, ensuring effective protection of women from violence against them are primary necessity for ensuring gender equality and justice. Easy access to justice delivery system and effective vindication of the rights would further ensure equality of women and protection of their human rights. Women should adequately be made aware and educated in order to enable them to voice their concerns. Right to work and safe and healthy work environment free from sexual harassment are equally relevant and important in the gender justice discourses. Comparatively newly recognised areas of concern like sexual and reproductive health and right of women should be given equal importance. Economic empowerment is the most important area where policy initiatives are to be focussed. Women should be ensured proper housing, property rights, and greater role in economic front. Gender Justice is a huge work and requires concerted efforts on different fronts.

REFERENCES

1. Deshta, Sunil and Kiran Deshta, *Fundamental Human Rights: The Right to Life and Personal Liberty*, Deep and Deep Publications Pvt. Ltd., New Delhi, 2003
2. Chandra, Dr. U, *Human Rights*, Allahabad Law Agency Publications, Allahabad, 4th ed., 2002
3. Baxi, Upendra, "*Human Rights, Accountability and Development*", *Indian Journal of International Law*, 1978
4. Roy, Ashine, *Human Rights of Women*, Rajat Publications, New Delhi, 1st ed., 2003
5. Bhaimali, Anil (ed), *Poverty and Human Rights of Women*, Serials Publications, New Delhi, 2005
6. Devasia, V.V. Devasia Leelamma, *Women Social Justice and Human Rights*, APH Publishing Corporation, New Delhi, 2000
7. Kanmony, J Kanmony, *Poverty and Women's Rights Violation With Special Reference to Tamilnadu*, in Bhaimali, Anil (ed), *Poverty and Human Rights of Women*, Serials Publications, New Delhi, 2005, p 125