



ACID VIOLENCE AGAINST UNFORTUNATE WOMEN: THE AGONY AND ITS AFTERMATH – A DISCUSSION

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ABSTRACT

The closing years of the 20th century may be described as testing time for Indian women. They have been and still devastated by horrendous crime like rape, with government often remaining a spectator. The new crime of the present 21st century posing in unspeakable suffering for women is acid throwing on young and immature.

The men who indulge in this crime are those whose sexual advances are spurned, for marriages are rejected, whose applications for the divorce are resisted, who do not receive the stipulated sum of dowry..... the women on whom acid is thrown are mutilated and become unfit for normal life. Their future becomes a question mark. The government has no acceptable programmes for the rehabilitation. My paper examines why this is so and however is going to remedy this horror, concludes with a long range programme for grassroots action, recognition of women's rights, and above all an attitudinal change.



KEYWORDS: Program budget marginal analysis, budget allocation, mixed integer programming model.

INTRODUCTION

The very act of presenting a paper on acid attacks on women is an emotional trauma and heart-breaking exercise, but facts of such violence and vandalism need to be exposed, and ways and means discovered to rescue them from this horror. Many a flower in its full bloom wither, their flesh and blood drained, their soft skin and solid bones destroyed, the flawless features of their face faded forever—everything becomes a memory to be mourned in silence and solitude. This is what Pragya means when she says “My old life has vanished in the flames of acid...” Pragya was a post-graduate in Fashion Management; acid was thrown on her on 30th April 2006, 12 days after her wedding; she survived the attack, rose like a phoenix from her own ashes, and chose to become an ambassador to rescue other victims from the ravages of acid attack.¹

Acid attacks on women—those who are often young, innocent, vulnerable, unsuspecting—is a heinous and horrendous crime which no civilized country can bear². In ancient and medieval, and even early modern periods, acid attacks were few and far between; but today it has become a common crime in many countries of the world like Australia, Bangladesh, Cambodia, China, El-Salvador, Ethiopia, Italy, Laos, Malaysia, Nepal, Pakistan, Sri Lanka, Thailand, Uganda, the United Kingdom, the USA, and Vietnam³; the incidence of such crimes are rather high in Bangladesh, India, Pakistan, Cambodia and Uganda, and causes concern for the future of women. It is sad to hear that there are at least a thousand acid attacks in a year on women in India, and that the number is increasing⁴; many cases go unreported⁵ because the victim's family wants to avoid police harassment and community's inquisitiveness to know how it happened, why, when,

and where⁶. Jaf Shah, ASTI executive, is absolutely right when he says “Most victims are fearful to report it to the police for fear of reprisal”

Attacking women, or even men, with acid is a curse of modern civilization; social workers describe this violence as “a recent phenomenon”⁷. What makes the crime all the more worse is the indifference of modern governments, and their failure to control the continuance of the crime. The Government of India keeping no count of women falling prey to such violence is a sad commentary on its functioning; it is not a matter of surprise that the authorities in the criminal justice system are not aware of the magnitude or the frequency of the crime. As a citizen I am entitled to ask what does the National Crime Records Bureau in New Delhi do without compiling such a vital statistics.

Men as well as women can be attacked with acid, but there is a gender dimension, a gender bias, to this crime. Most of the victims are women—women who have dreams of a happy family, dreams of a loving husband and lovely children, dreams of eating their daily bread with god as unseen guest during every meal. They are the women who reject proposals of marriage, who refuse to respond to overtures of romance, who spurn sexual advances of strangers or relatives, who are suspected of infidelity or extra marital relationship, who resist requests for divorce, who do not agree to part with property over which they are undisputed masters, who fail to meet unconscionable dowry demands—such are the people who are at the receiving end of acid. Of late in countries like Afghanistan religious fundamentalists view with disfavour acts like immodesty, non-traditional dress, and even school going by women and punish the “guilty” with acid flinging. In the United States, there is an alarming trend to throw acid on minorities, especially racial minorities. In the United Kingdom immigrants from Asia are becoming targets of acid violence; here the perpetrators of crime themselves are Asian immigrants. It is unfortunate that the immigrants carry with them to their “new-found-land” their habit of domestic violence, and demonstrate the same through acid attack. These trends are disturbing and do not augur well for the future of mankind.

In almost all instances of acid attack, women are right in their stance, and men wrong. Most of the women who become victims are teenagers or in their early twenties; had they escaped acid violence, they would have become the nucleus of a family, a fellowship, a fraternity radiating cheer and goodwill.

Why men select acid as a weapon to wreak their vengeance on hapless victims? I can think of at least three reasons.

First of all, it is easily available: one goes to a street where drugs and chemicals are sold, gets a bottle of acid without any question being raised, buys it across the counter the vendor not demanding any permit or prescription; it is as easy as buying a loaf of bread from a bakery. Nothing can be more ridiculous or dangerous than this situation.

Acid is a killer, but its sale is not regulated by law in this country—this kind of callousness, of lack of concern for human lives, of facilitating extinction of life and limbs in a single stroke and that too in a matter of minutes, is a crime against humanity; governments are answerable to man and god for making it easy for attackers to do away with women, and make them look “not human” any more. Has Indian society in the post-1950 era become a medieval maidan of Dark Ages where non-conformists were burnt alive at stake? Is this the price we pay for our freedom and newly-acquired dignity?

Secondly, acid throwing is easy to execute. The avenger carries the bottle of acid—as little as 200 to 300 ml—in a convenient spot in his body, waits for his victim to come out of her house, office, theatre, restaurant, even a temple, throws the acid preferably on her face before she knows what is happening to her, and escapes from the scene in a two-wheeler. People moving about in the vicinity of the crime are bewildered on hearing the screams of the person whom they have known all their life. Other forms of crime like shooting with a gun requires planning to perform, and an assassin has to wait and watch for weeks and months before he fires a bullet at his target. Here practice and accuracy are necessary. Time and tide should favour him with opportunity; there will be noise, there will be smoke, there is a possibility of the attacker missing his target by a fraction of a millimetre. Gun costs money, but M.R.P for a litre of acid is around only Rs. 30.

Thirdly, the attacker wreaks his vengeance to his heart's content. He wants her to suffer—she suffers; he wants her to be grievously hurt—she is grievously hurt; he wants her to be disfigured beyond recognition and retrieval—she is disfigured beyond recognition and retrieval. A beast in Andhra Pradesh who threw acid on Swapnika (2008) recorded “her cries of pain and suffering on his cell phone so he could enjoy listening to them later”. Swapnika died in hospital, but one is sure that her screams would haunt him till the days of his death. Another person in Andhra Pradesh who suspected the character of his wife “inserted mercurial acid” into her genital resulting in her death; this is the horror of horrors unheard of anywhere in the world.

The attacker does not always aim to kill her. He wants to see her deformed, disfigured, devastated, disowned by her family and friends, and demoralised beyond redemption. Only one idea beats like a pulse in his mind: “I could not have her; therefore no one else should have her”. The male ego in him, the unfulfilled desire, the disappointment of rejection, the humiliation of betrayal, prods him to seek revenge, and he plunges into action. In a few cases the victim beats death, but loses her identity and future. Wherever the acid spills on her body, it will leave its trace. It bites like a hungry shark: the face becomes a mess, the skin is burnt, the hair is lost, the flesh melts, the bone is destroyed and dissolved, eyes do not see and ears do not hear anymore, the nose becomes shrunken, the mouth loses its shape, breathing becomes difficult, and there are scars wherever the acid has traversed⁸. The woman looks like a monster. No amount of reconstruction can restore her former face and figure, health and strength, daring and dynamism.

The loss of the old physique is not the only loss the victim suffers. She loses her mobility; she is not able to move about in public without people staring at her. No more studies, no more career, no more shopping, no more sports and games, no more tours and travels, no more socializing, no more conjugal happiness. The economic effects are as bad as the social. If she is a school or college dropout, the victim does not get employment because she is not employable. She does not earn anything and becomes dependent and a liability on others. Who will pay for her life-long treatment like surgeries, drugs, bandages, cleaning agents, clinical tests, conveyance, and day and night para-medical care givers? Hasseena Hussain in Karnataka is reported to have undergone as many as thirty- five surgeries⁹ (with a few more still pending). Even Joseph Rodriguez, her tormentor who threw acid on her, would not have anticipated that the acid which he threw would tear a hole in her skull, blind her in both eyes, and burn half her body¹⁰. Yet another high profile victim was Kaite Piper who became a victim in 2008 and underwent an incredible number of 100 surgeries; she became a legend by assuming the role of a campaigner. It is heart-rending to hear such tales of cruelty; cruelty apart, getting medical treatment, legal aid, financial support, and counselling constitute obstacles that cannot be easily overcome. Victims who escape death are often found to suffer from anxiety, depression, and distress¹¹. Are there institutions in this country where they can be treated for anxiety— anxiety regarding their appearance, anxiety regarding their return to the main stream of society, anxiety regarding their acceptance by their extended family, friends, neighbours and colleagues? Even if there are such institutions, can a victim afford to go there leaving behind her devoted husband, her “little angels”, and her aged parents and parents-in-law to fend for themselves.

If the victim's parents cannot afford all these expenses, how is she going to recover from the trauma and how to ensure her recovery and rehabilitation? The only answer that comes to one's mind is the “accused”; money recovered from the culprit seems to be the only solution. Not a few hundreds, not a few thousands, but a few lakhs of rupees, sometimes even 10 or 15 lakhs of rupees may be needed. The accused is in jail, let his earnings in jail be diverted to treat the victim and provide for her livelihood and basic needs. Even this sum will cover only a fraction of the cost of her medical care and after-care; Shah rightly says that health-care costs related to acid attacks can be “astronomical”.

The criminal who attacks the victim spends a few years in jail, comes out earlier than the actual period of sentence due to remission, and finds his place back in society, but the victim does not regain her position and suffers lifelong imprisonment, a sort of house arrest, world forgetting and forgotten by the world. Lakshmi, a Delhi-based-girl who became an acid attack victim in 2005 when she was hardly 16 says “Today I stand alone”. She stands alone in a country of 1.27 billion people: no friends, no relatives, no

support from any source, no means of livelihood, no hopes of a better future, with scars wherever the acid chose to lodge itself. She says her life is going to be a long struggle for her, a struggle even for food, leave alone other amenities¹².

The treatment is prolonged and painful. The victim spends her days and nights for months and years in a hospital bed, being fed on fluids; her room or ward is far from hygienic; the discharge of puss from wounds stagnates on the bed sheet and the stench becomes intolerable. The parents of a victim would attribute the death of their daughter to the nauseating and unhygienic conditions in the hospital where she was treated. It is very unfortunate that hospitals have become death-traps in this country. The burns ward in the Kilpauk Medical College Hospital is said to be the second best in India, and if the environment is not ideal in such a premier hospital one can imagine the condition in other medical facilities.

When Hasseena was hospitalised the staff did not even know how to treat her burns. Jeyalakshmi from the same state of Karnataka had to wait for a doctor to come all the way from Bangalore to Thumkur to treat her burns. Shah speaks of a woman in Nepal who had to walk in absolute agony for 24 hours before she could receive treatment. Is this not a matter of disgrace, of shame, that victims have to run from pillar to post seeking medical aid, and meanwhile “the golden hour” is lost making survival a question mark. CSAAAW’s lawyer Sheela Ramanathan is absolutely right when she says “medical awareness in the mode of treatment is abysmal in this country”; this observation has been made keeping in mind the people who offer first aid to victims. Medical experts who treat burns recommend that the body parts where the acid has spread should be washed thoroughly with water till no remnants of the acid are left on the skin; and this has to be done within an hour of the attack. When Katie Gee and Kiristie Trop, two British teenagers and volunteer teachers in Zanzibar, were injured in an acid attack, “they ran into the sea to wash acid off their skin...” Needless to say that all victims may not enjoy the advantage of having a sea as their next door neighbour. Applying home-made remedies or native medicines obtained from drug pedlars should be totally avoided.¹³

The death of Delhi gang rape victim Nirbaya, and the nationwide protests, has atlast led the Law Commission of India to recommend the addition of new sections to the Indian Penal Code to deal with acid violence. Parliament’s new law on this subject is deemed to have come into force w.e.f. 3rd February 2013; I would say that this is a landmark legislation in the history of crime and punishment in India. Indians, especially Indian women, will remain grateful for ever to Justice A.R.Laksmanan and Justice D.C.Varma for their sane suggestions in this context. On behalf of Indian women as a whole, I salute these two distinguished jurists for the humanism with which they came out with ideas to arrest acid violence. Section 326A states that whoever causes permanent or partial damage to any part of body or causes grievous hurt by throwing acid shall be punished with imprisonment for a term not less than 10 years which may extend to imprisonment for life, and with fine which may extend to 10 lakhs of rupees. Section 326B states that whoever throws or attempts to throw acid on any person shall be punished with imprisonment for a term between 5 and 7 years in addition to fine.

It is not known that why 326A deals only with damage to the body and not the death of the victim. In many cases throwing acid leads to death; death due to acid attack is “murder after torture”; the victim dies a hundred deaths before she finally dies. The section should have prescribed death punishment as in Bangladesh. I would even suggest something more than death punishment: I stop with death punishment because, there is nothing more than death punishment that one can imagine or inflict on an offender. The amount of fine also should have been fixed at least at rupees 25 lakhs. Allowing the guilty to escape with lighter sentence would send wrong signals to the criminals. The second century B.C. maxim of “an eye for an eye, and a tooth for a tooth ” should hold good even today in cases of violence leading to death; such a death should be treated as “rarest of rare cases” and do not deserve any sympathy. It has been reported that after imposing death punishment for acid violence the percentage of such crimes has come down in Bangladesh¹⁴. Cannot we take it as a lesson, and do likewise in our country as well?

Apart from the attackers being punished with imprisonment and fine, I look forward to the day when accomplices who aid and assist in such attacks should also be punished for their involvement in the crime.

Brutal attacks are usually the result of team work, and therefore everyone who forms part of the team should be made to pay for his crime.

A few criminologists contend that the guilty, however gruesome their crimes are, should not be punished with death, and that it would meet the ends of justice if they are kept in prison either for life or for a long term. They say that there is a possibility of the criminal regretting his crime, repent what he has done, resolve to turn over a new leaf in his life, and become reformed; it all looks good and ideal on paper. When it comes to practice, the idea of regret, of repentance, of reform, of restoration—all these ideas appear to be senseless talk in the Indian context. In India, majority of the people have no sense of the value of life, no sense of morality and ethics, no sense of distinguishing between right and wrong, and no sense of looking at an issue from other men's or women's point of view; they are not taught how to control and conquer their desires. It is sad to reflect that it happens in a country where the Buddha and the Mahavira insisted on men and women cultivating human values and respecting other people's life and liberty, property and possessions, dreams and desires.

Acid attack on 23 year old Vinodhini in November 2012¹⁵, and 21 year old Vidya in January 2013¹⁶ in Tamil Nadu leading to their death after battling for life sent shock waves all over Tamil Nadu; the former was a software engineer and the latter an employee in an internet centre and a source of support for her not-so-well-to-do family. In the case of Vinodhini, the investigation, the trial, and the judgement are cited as role models for cases of this kind. The case was investigated by police officers who were gender sensitive to women, the trial was speedy as if by a fast-track court, and the sentence was fair and just. Karaikal sessions judge was moved by the plight of the victim, and observed "I shed tears of blood to see such crimes inflicted on women". He even quoted poet Bharathi eulogising women as Parasakthi, and lamented that such an incident should take place in a territory sanctified by the presence of Karaikal Ammayar, one of the sixty-three Saivite Nayanmars. The learned judge suggested that the prisoner should read the collected works of Mahatma Gandhi and the songs of Vadalur Vallalar, do yoga to condition his mind, and eat *satviha* food¹⁷. One is pleased to note that the honourable judge initiated a new trend in judgement writing.

In the case of Vidya, even in the midst of grief, her family donated her corneas to Sankara Nethralaya so that a blind person somewhere could see through her eyes. Vidya's mother was a domestic help, but she had the heart of a saint to gift the eyes of her daughter; therefore, in a sense, Vidya is alive, she is very much with us.

It is doubtful whether the attackers of Vidya and Vinodhini would ever confess that they had committed an act of crime. Vidya's brother Vijay and Vinodhini's uncle Ramesh say "the attackers were nonchalant and expressed no guilt..." If such men with no concern for other people's lives are allowed to live and move about without any restraint, their neighbourhood will become a human abattoir where no woman is safe. Such criminals ought to be either shot dead or their lives snuffed out as in a gas chamber or confined in a prison cell for the rest of their lives.

Going back to acid throwing, it is time to say that the government should initiate a time bound programme to curb unauthorized acid sales. No acid sales should be possible without a valid permit shown by the buyer. Vendors selling acid without a certificate from a competent authority should be forced to face the consequences of their action, and their trade license forfeited. A buyer should be asked to submit a document like a pan card carrying his photo, his signature, his address, his phone number, the need for buying acid, and the counter signature of a competent authority like a Labour Inspector or Laboratory Director¹⁸. Government should not take shelter under the plea that it is difficult to enforce such a rule. No democratic government is worth the name if it does not respond to the call of the people and rescue women from men.

There is a long term course suggested by social activists and educators in this context. They recommend revamping the present educational system; they suggest a change, a radical change, a change of attitude on the part of men towards women; they want education to become holistic, and that men and women should be taught to believe in the equality of sexes. The idea of looking at women as objects of pleasure should be erased from the minds of men. The harm that has been done for centuries by

Vatsyayana's *Kamasutra* and the erotic sculptures of Kajoraho should become a thing of the past. Sociologists like Shah say that what India needs is "cultural change"; by cultural change she means (a) grass roots action—young boys and girls growing together, exchanging their toys and toffees, finding joy more in giving than in taking, communicating their concern for each other in a code which they alone can decode (b) educational initiatives—adolescents studying together in co-educational schools/colleges, playing games as per rules, committing no foul or fraud,(c) democratic participation—men and women exercising their franchise, contesting elections, sitting in Corporation Councils, Corporate Boards and Co-operative Societies at least as co-opted members, and making their presence felt in the corridors of power, (d) and recognition of women's rights—especially property rights, rights to inherit, to acquire, to hold and enjoy, and to dispose of property.

The Constitution of 1950—especially its two wonderful chapters on Fundamental Rights and Directive Principles of State Policy—is said to provide for and promote equality of sexes. It is almost three-fourth of a century since the country took the direction of its destiny in its own hands. Yet Indian women are ranked 104th out of 134 countries in terms of equality between men and women. A woman becoming a President, a Prime Minister, a Bharath Rathna cannot make the nation believe that women have come up; one swallow does not make a summer. I am afraid that Indian women have not come of age, are still treated as chattels, are tied in bonds of slavery and servitude, and have not gained an identity of their own. A Thomson Reuters Foundation survey says that "India is the fourth most dangerous place in the world for women to live in"¹⁹. Is this not a sad commentary on the status and safety of Indian women?

At least from now onwards men and women should walk together, holding hands, sharing thoughts, feeling comfort and consolation in the company of each other, and believing that we live in a kingdom of God where no man can degenerate into an animal hurling acid on a woman and deprive her of God's greatest gifts to her—her body and soul.

Well friends, I enjoyed presenting my ideas to you, and I believe you too enjoyed listening to me.

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