



HUMAN RIGHTS VIOLATION AGAINST WOMEN IN TAMILNADU – A SUBALTERN CRISIS

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ABSTRACT

Women are in subjugated position in various socio-political structures in Tamilnadu a state considered having radical society in culture and politics among Indian states. In spite of the emancipations achieved through education and cultural renaissance happened in recent past, gender bias persists across the society among all stratified communities. The International commission for Women has categorized the violence's against women into few types. Almost all the categories of violence's are found prevalent in Tamilnadu. The increasing socialization of women through opportunities emerged in economic and political spheres during the last few decades starting from 1990's have unfortunately recorded with concomitant impact on increasing violence's against them. The conventional problems of women in society and family had been surpassed by problems for women in working place and public spheres at present. Similarly the state and society as perpetrators of crime against women have been recorded high than the domestic violence's a recent trend in gender question. Hence the subaltern position of women has been reinvigorated at a new phase of socio-cultural condition. This paper try explains the depth of the crisis through providing statistical data related to the last decade of 20th century. The data are observed from government publications and news reports. In-depth interviews with victims also have been used as primary data collection method. Structured questionnaires are prepared to gather information from the victims. The analysis highlights the increase in the number of incidents comparing to the previous decades.

KEYWORDS: socio-political structures , data collection method , socio-cultural condition.

STATEMENT OF PROBLEM

If we are able to find out the causes for these crimes, we can derive the methods for its mitigation. This is what the objective of Human Rights Commission which publishes data about of the crimes and laws related to them. Registration of crimes has increased significantly. The media furnishes statistics and reports on those crimes which was virtually unavailable till few years ago. According to statistics crimes against women are rising at a very faster rate as enunciated by the statistics of different types of crimes committed against women.

It is interesting to note here that in the 1974 landmark report of the committee on the status of women in India, there was a heart breaking report which shows that 8,000 abortions performed at a particular clinic in a particular time limit, among them were mostly female fetuses. According to another data which was recently published enumerates that, there is one rape in every 54 minutes, a molestation in every 26 minutes, one kidnapping or abduction in every 45 minutes, one act of eve-teasing in every 51 minutes, one dowry death in every 1 hour 42 minutes and one criminal offence against women in every 7 minutes.

1. FEMALE FETICIDE AND INFANTICIDE

Determination of the gender of the baby in the womb and administering abortion when the embryo found as female is a serious crime against women. The gender ratio declines due to this act. Many at times the abortion is conducted against the will of the mother the pregnant women a grave threat to her own life itself. Due to poorly administered abortions the probability for mother's death looming larger. In all means women's lives are sidelined and taken into inhuman course of action.

So far all the so called crimes inflicted on women are classified into these categories. The first covers all the non-sexual crimes which have the economy as a major factor under the head of "domestic violence". Though the domestic violence's are basically related to the economic reason it often **wounded** with religious and cultural sanctions in its historicity. Certainly it will be historical fallacy if it still procrastinated on the same way, without taking into reference of all other changing social norms. Female infanticide and female feticide are the heart breaking incidents which are still in increase in Tamilnadu, particularly at some locations, where the religious superstition and fanatic are in vogue. 'According to a report from a NGO increasing instances of female feticide in Usilampatti taluk of Madurai District is reported. It is reported as a direct consequence of misuse of pre-natal sex diagnostic techniques. With technologies sweeping into the rural and semi-urban areas in and around Usilampatti, the gruesome practice of female infanticide have been dropped in favour of sophisticated method of doing away with girl children. Around 14 scan centres have come up in this area, some of which also perform abortions. Ultrasound units have come up not only in Usilampatti, but also in urban and semi-urban areas all over Tamilnadu.' The state advisory committee constituted in 1996, after the pre-natal sex diagnostic techniques (regulation and prevention of misuse) act, 1994, had failed to check this practice. Usilampatti had been identified as a crime center in this respect. The fact is well known to all the states and central government. But still the practice is continued, governments are not able to stop this criminal activity against women. It is to be noted that M.G. Ramachandran, the founder Leader of A.I.A.D.M.K was elected from this constituency for several times.

This evil didn't identify as derogatory activity for the whole society and for women in particular during his tenures. The present A.I.A.D.M.K's government started a new policy like "Thottil Kurhanthai thittam" i.e. cradle for child, to mitigate this problem. Though the scheme lost to bring full success, it deserves due accreditation as a social welfare measure. So Usilampatti takes the position of committing crime against women.

The next important crime is female infanticide, according to a report NGO. "Female infanticide is still prevalent in Omalur block of Salem district. The area has high incidence of female infanticide, child marriage (even at around 11 and 12) and unsafe abortions. As per the assessment, at least 47 female infants have been killed in thousand families during particular time limit. While the NGO could prevent female infanticide in one to six families still 85 incidents had been reported in the same another time limit. Further information reveals that "Tamilnadu is examining the possibility of formulating a registration of scan centers to prevent female infanticide. The female infanticide at the rate of 3,000 per annum had not come down since 1995. The information was disclosed by the then State Commissioner for Maternal Child Health and Welfare Sheila Rani Chunkath. In Omalur block which is in Salem District there are attempts to destroy the womanhood in its budding stage. Though Madurai and Salem are recorded as developed districts in economic and other social standards it is an irony as they have leading position in social crimes. Based on another source Madurai comes next to Chennai in overall crime list which is against women. As a result there is decline in the sex ratio. Apart from the infanticide the FIMR, also reported high in these districts. It is a related factor to the declining sex ration besides various causes of death. The state average of the infant mortality with its male IMR is 36.9 and a higher female IMR-44.3 surely confirm the fact. The problem appears all the more acute, when one look at the sex ratio for the Juvenile population (0.6 years age group) in the state. Sex ratio (females per 1000 males) is a simple but very strong index of the long-term status of women's welfare in a community. It will create sex imbalance which also bring negative impact for women. It is contrary to international experience of economic development turning the sex ratio more favorable to women in India even after 50 years of independence. It is all caused by female rejection in the society by neglecting

recognitions to them besides the discrimination. Though the statistics on FI (female infanticide) shows decline in Tamil Nadu it is comparatively higher than that of India.

Table -1 Sex ratio in Tamilnadu across the census of 20th Century

Sex Ratio in Tamilnadu (1901-91)		
Year	Tamilnadu	India
1901	1044	972
1951	1007	946
1961	992	941
1971	978	930
1981	977	934
1991	974	927

(Source: Tamil Nadu Social Development Report, 2000)

Existence of female infanticide in many states, including Tamilnadu, is often neither officially acknowledged nor seriously dealt with. In Tamilnadu, thousands of infants seem to be killed every year. In 1998, as per PHC records, 3226 infants were killed. And the killings seem to be concentrated in a core region of 6 districts Salem, Dharmapuri, Mamakkal, Theni, Dindigul, and Madurai and to a lesser extent, in adjoining Karur, Erode and Vellore Districts totally involving around 130 mostly contiguous development blocks in Tamilnadu.

Table-2 Juvenile Sex Ratio in Tamilnadu Districts

Juvenile Sex Ratio in Tamilnadu Districts				
District	1901 0-4 years	1971 0-4 years	1981 0-4 years	1991 0-6 years
Dharmapuri	na	993	955	905
Madurai	988	961	970	918
Salem	990	966	900	849
Thiruvannamalai	na	na	na	964
Dindigul	na	na	na	934
North-Arcot (Vellore)	998	988	999	962
South-Arcot	1017	981	973	970
Pudukottai	na	na	999	976
Periyar	na	na	964	929
Coimbatore	987	978	969	966
Chidambaram	na	na	na	964
Kanyakumari	966	978	997	970
Nilgris	998	985	987	968
Thanjavur	997	984	987	965
Thiruchirapalli	1005	984	969	955
Kamarajar	na	na	na	946
Chengai	1015	986	996	970
Nagapattinam	na	na	na	958
Tirunelveli	986	995	973	955
P.M. Thevar	na	na	na	958
Ramanathapuram	995	998	969	960

Chennai	976	969	987	962
Tamilnadu	995	984	974	948

Source: "Female Infanticide in Tamilnadu Some evidence", Search Bulletin (July – Sep 1998).

Table-3 the blocks with Low JSR Juvenile Sex Ratio.

Blocks of Tamilnadu with low Juvenile Sex Ratio		
District	Total Blocks	No. of Blocks with 0-6 Sex Ratio < 900
Dharmapuri	18	8
Madurai	21	10
Salem	35	23
Dindigul	14	2
Periyar	20	3

Source : Census of India 1991.

The following table presents the distribution of blocks by number of female infanticide deaths, as per PHC records.

Table-4 Infant Mortality Rate in Tamilnadu District Wise Data

Infant Mortality Rate in Tamilnadu Districts		
District	Infant Mortality Rate	
	Male	Female
Dharmapuri	45.0	100.1
Madurai	39.7	70.0
Salem	43.7	85.4
Ramnad	46.6	42.4
Dindigul	43.1	52.9
Trichy	38.4	38.8
Perambalur	37.5	35.9
Villupuram	33.7	34.6
North Arcot Ambedkar	37.1	45.0
South Arcot Vallakar	34.2	33.3
Karur	33.6	33.2
Thirunelveli	43.3	38.5
Thiruvannamalai	31.7	39.2
P.M. Thevar	33.4	27.2
Periyar	37.7	38.9
Pudokottai	35.4	35.6
The Nilgiris	36.0	37.5
Chengai MGR	28.4	25.4
Thanjavur	31.3	27.8
Kamarajar	43.5	36.5
Chidambaranar	42.4	34.6

Nagai	35.8	32.4
Coimbatore	31.4	29.0
Kanyakumari	14.7	14.6
Tamilnadu	36.7	44.35

Source : Tamil Nadu People's Forum for Social Development.

Out of 386 blocks in the state, as many as 105 blocks reported some occurrence of female infanticide. 53 out of these 105 blocks (roughly half) reported more than 10 female deaths in a year. At the other end, just 7 blocks report female infanticide deaths exceeding 100 each and together account for 1,092 female deaths in the entire state. Of these 7, one was in Salem (Edappadi) which the other 6 were all in Dharmapuri. Another 16 blocks, mostly from Salem (9 blocks) and Madurai (6 Blocks), each with infanticide deaths exceeding 50 but below 100, account for 1, 123 deaths.

Table-5 Female Infant Deaths

Blocks by number of FI deaths			
District	Blocks	FI Blocks	FI Deaths
Dharmapuri	18	14	1199
Madurai	21	19	571
Salem	35	28	1033
Thiruvannamalai	18	2	2
Dindigul	14	14	129
Villupuram	22	5	11
North Arcot	20	9	177
Perambalur	10	1	1
S.A. Vallalar	13	1	1
Pudukkottai	13	1	3
Periyar	20	4	169
Karur	8	5	1
Tiruchy	14	3	11
Kamarajar	11	1	5
Chengai	27	1	1
Tamilnadu	386	105	3226

Source : Tamil Nadu Social Development Report 2000 FI : Female Infanticide

Thus 23 blocks accounts for practically 70% of all female infanticide in Tamil Nadu in 1995 as per PHC records.⁴ Finally 53 blocks where the incidence of female infanticide is sporadic, but which clearly signal the grave danger of a further and far wider spread. Non-core districts enter the picture here Chengai, Virudhu Nagar, Karur, South Arcot, Villupuram, Pudukkottai, Trichy. Thiruvannamalai, are more or less at the midpoint of the female infanticide belt.

Medical advancement in the form of scan centres has become hostile to the female children as female feticide takes place after scanning the sex of the baby in the womb. The fast growth of scan centres in Tamil Nadu especially in the female infanticide clearly confirms the involvement of scan centres in such female killings.¹ By May 31, 1999 there were about 5000 scan centres established in Tamil Nadu. The registration of scan centres which are used for sex detection have to be cancelled and to be closed immediately. For strict monitoring of the 1994 pre-natal Diagnostic Techniques Act, practical measures must be introduced at the root level rather appointing any regulatory authority. Definitely, the medical practitioners who violate the law on scan centres must be punished severely. So far there is only one law

provided to safeguard the female footicide. Female infanticide comes under the CPC's which we have seen, earlier.

2. Dowry

The other major domestic violence which was forced against women is none other than that "Dowry". We have numerous laws introduced in various period. Also this crime was well charted out with a fine definition. To eradicate this evil practice "the Dowry prohibition Act, 1961" was introduced. This prohibited the giving or taking of dowry. However, with the advancement of civilization, the thoughts of men and women are also changing day by day. It is happening in both rural and urban society. Changing trends of economic activity in a particular society with connection of the world order creates pseudo characteristic social behavior.

3. Rape

Some of the classified 2nd category violence's perpetuated against women are sexual harassments, trafficking, prostitution, pornography, sexual assault. All are covered by laws. However, this study takes the rape for its detailed discussion. It is clearly mentioned in the Indian Penal Code 1860 under section 375, it is reproduced as below.

Table-6 Victims of Rape

City	No. of cases Reported	Number of victims			
		Below 10 Years	10-16 Years	16-30 Years	30 Years and above
Chennai	24	0	6	18	0
Coimbatore	2	1	1	0	0
Madurai	3	0	3	0	0

Source: Crimes in India. 1998: National Crime Records Bureau, M/O Home Affairs

Table-7 Victims of Rape by Age Groups over the Years in India

Year	Below 10 Years	10-16 Years	16-30 Years	30 Years & above
1988	233	1869	5832	1165
1989	369	1965	5646	1772
1990	394	2105	6028	1541
1991	1099	2630	5377	1319
1992	532	2581	7000	1621
1993	634	2759	7038	1792
1994	734	3244	7442	1798
1995	747	3320	7752	1955
1996	608	3475	8281	2485
1997	770	3644	8612	2310
1998	626	3433	8414	2560

Source : National Crime Records Bureau, Ministry of Home Affairs

Rape is an ever persistent, inhuman activity, which needs immediate counter action. This criminal activity is most venomous which relates and covers all other items of social violations against women. Rape occurs anywhere even in the family as a form of marital rape or incest. Normally this particular kind of

atrocities come out only when it touches its peak. In the community women are in an endangered position where they can fall prey to any abuser. It also occurs in situations of armed conflicts and in refugee camps. Sexual urge is not a nature's call, it is highly related to the speciality of human sense. It is worth mentioning here that both men and women who lose this extraordinary sense in any circumstance oblige themselves to indulge in any kind of illicit sexual relationship; they are criminals. IPC 375 to 378 defines rape as an action against the consent of women.

Table-8 Different Types of Crimes Committed Against Women in India

Crime Head	Incidence of crimes									Percent share of crimes in 1998
	1990	1991	1992	1993	1994	1995	1996	1997	1998	
Rape	10068	10410	11708	12218	13208	13754	14846	15330	15151	11.52
Kidnapping & Abduction	11699	12300	12077	11837	12998	14063	14877	15617	16351	12.44
Dowry Deaths	4836	5157	4962	5817	4938	5092	5513	6006	6975	5.31
Torture	13450	15949	19750	22064	25946	31127	35246	36592	41376	31.47
Molestation	20194	20611	20385	20985	24117	28475	28939	30764	30969	23.55
Eve-Teasing	8620	10283	10751	12009	10496	4756	5671	5796	8054	6.13
Importation of Girls	NA	NA	NA	NA	167	191	182	78	146	0.11
Sati Prevention	NA	NA	NA	NA	2	1	0	1	0	0.00
Immoral Traffic (Prevention) Act	NA	NA	NA	NA	7547	8447	7706	8323	8695	6.61
Indecent Representation of Women (Prevention) Act	NA	NA	NA	NA	389	539	96	73	190	0.14
Dowry Prohibition Act	NA	NA	NA	NA	2709	2714	2647	2685	3578	2.72
Total	68867	74710	76633	84930	102514	109259	115273	121265	131475	100.00

Source: National Crime Records Bureau, Ministry of Home Affairs, Crime in India (Publication) Rape: Crime in India

All other heads: Monthly Crime Statistics

Tamil Nadu shares 8.5 percentage of total crimes against women among all the states and UT's of India for the year 1998. Particularly for the rape it was 2.4 percentages for the same year. Tamil Nadu comes next to U.P. with 15.1 percentage share for the crime of eve-teasing. Eve-teasing, a pre-cursor and catalyst to many types of serious offences against women, takes place due to adolescents picking up wrong signals and ideas from the media and the films. They are in an age where they cannot shift the facts of life from fiction to real. Demystification of sex and proper sex education are likely to remove the urge and it is an impetus for the adolescents. This will ensure that sexual harassment of women will not take place. There were 1120 incidents recorded which covers all kinds of crime against women in Tamil Nadu during the year 1998.

Among them 362 were rape cases, which included 16 victims who belonged to below 10 years age group, 24 cases were recorded in Chennai only during that year, here almost all the victims were belonged to 16-30 years of age group.

Rape incidents, if we see the proportion of increase were acute after 1997. Between the years 1991-96 it was only 15% (268-300). It increased up to 30% during 1997-98 i.e. within 2 years. This sharp increase can be identified with the sudden changes of social behavior.

Table- 9 The Violence Recorded for The Year 1999

Violence Against Women in Tamilnadu(1999)							
Month	Suicide	Murder	Sexual	Mole station Dowry	Dowry	Eve-teasing	Other
January	9	6	5	1	-	3	2
February	14	6	5	-	4	3	3
March	19	11	7	1	7	1	7
April	25	16	5	-	11	1	2
May	12	12	2	1	4	-	-
June	26	11	-	-	6	1	2
July	23	11	3	-	8	1	2
August	34	12	-	1	2	1	1
September	30	20	12	5	4	1	1
October	19	12	12	-	7	-	3
November	26	13	5	1	1	-	2
December	21	15	9	-	7	2	-
Total	258	145	65	10	61	14	25

Source: Thamizhagathil Manitha Urimaigal 1998-2000, PW-TN

1999 report reveals that the crime connected to women are interlinked. For example, sexual harassment, eve teasing and molestations often end in either murder or suicide. Among the total 582 instances of violence against women 191 are related to dowry violence. All other incidents were sexual criminal activities. Among the 65 instances related to sexual harassment as per report, 54 were committed on the age group of 15-25 years. This clearly reveals that the victims of sexual harassment are mostly adolescent girls or newly married women.

Sometime violence would take place against women by the very people who are supposed to protect them. Women are physically or verbally abused and they also suffer sexual and physical nature. According to Amnesty International thousands of women held in custody are routinely raped in police detention centres worldwide. It is necessary for states to prosecute those accused and to hold them accountable for their actions.

Table-10 States with High Incidence of Deaths in Police and Jail Custody

States	1994			1995			1996			1997		
	PC	JC	OT	PC	JC	OT	PC	JC	OT	PC	JC	OT
Andhra Pradesh	6	-	-	9	30	-	2	18	-	17	45	-
Assam	10	2	-	8	14	-	1	3	-	28	19	-
Bihar	1	-	-	6	45	-	2	21	-	9	65	-
Delhi	2	21	-	7	37	-	2	4	-	11	43	-
Maharashtra	-	-	-	8	3	-	3	22	-	13	25	-

Punjab	6	1	-	7	7	-	2	1	-	14	9	-
Rajasthan	9	-	-	6	7	-	1	4	-	15	11	-
Uttar Pradesh	3	-	1	10	11	1	3	12	-	16	23	2
West Bengal	7	1	-	17	27	-	3	10	-	21	26	-

PC : Police Custody JC Judicial Custody

OT : Other * From January to March

4. Violence Perpetrated by State: A Case Study for custodial rape

Chitra, a newly married pregnant woman committed suicide after being allegedly raped in custody by police officials in Chennai. She was taken into police custody after sunset by the police of Aminjikarai P.S. in Chennai violating section 160 of the criminal procedure code. She was taken to the police station for questioning at about midnight of 12th October, 1998 where her husband, Ravi had been apprehended in a case of theft registered by his employer. The matter was taken up by the National Commission for Women. This reported case is surely just the tip of the Iceberg but it reveals the pattern of violence against women in Tamil Nadu.

CONCLUSION

The number of incidences in categories displays the level of freedom and equality the women enjoy in Tamilnadu society for the given period. This trend conveys message that women are kept in fringes of social relationship more so they are the vulnerable sections which substantiates their subaltern position.

REFERENCES

1. Tamilnadu Social Development Report-2000
2. Female Infanticide in Tamilnadu Some evidence, Search Bulletin (July – Sep 1998).
3. Census of India 1991,
4. Tamil Nadu People's Forum for Social Development, 1998
5. Crimes in India. 1998: National Crime Records Bureau, M/O Home Affairs
6. Thamizhagathil Manitha Urimaigal 1998-2000, PW-TN
7. State Human Rights in India, Indian Social Institute 1995, 1996, 1997, 1998, 1999, New Delhi.
8. Women and Men in India, Government of India-2000
9. Gupta P.N. and Chandra chur Singh, HumanRights –Acts and Statutes kalpaz Publications, New Delhi-2003
10. Pachauri S.K. Women and Human Rights A.P.H. Publishing Corporation New Delhi-1999.
11. Rachana Kaushal Women and Human Rights in India, Kaveri Books New Delhi-2000
12. Ram Ahuja, Violence Against Women, Rawat Publications New Delhi, 1998
13. Subramanian.S HumanRights International Challenges Vol.I, II Manas Publications 1997
14. The Hindu dated- 25.03.98
15. The Hindu dated 05.12.1998
16. The Hindustan Times Madurai dated 07.01.1998



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