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VIOLENCE AGAINST WOMEN: PERSPECTIVES FROM SOUTH ASIA

Dr. Satarupa Pal

Assistant Professor in Political Science

Asutosh College

Kolkata, West Bengal, India

Abstract

Violence against women is considered as global concern in recent times. Hierarchical social order and patriarchal attitudes are the main reasons behind it. The South Asian scenario is almost same for the gender-based violence irrespective of caste, class, religion etc. Though, the various initiatives of United Nations Organizations and other important international for a like CEDAW came forward to protect women's rights in many countries. South Asian countries like Pakistan, Bangladesh, Srilanka have their own laws to discriminate women's rights and individual freedom. India came forward through women's movement to protect women's rights cutting cross caste, religion etc, at this outset, the present paper tries to explore various consequences of violence against women in South Asian countries and how indigenous laws and international organizations intervene the menace of the violence against women and move forward to gender-just socio-political order in near future.

Keywords: Women, Violence, Discriminations, Rights, Movement, Patriarchy.

Introduction

Violence against women is the matter of growing concern across the world. Hierarchy, social –cultural norms and patriarchal attitudes are the main reasons for this kind menace in any society of world over. It is noteworthy that every South Asian country have its own structure to operate the violence against women in terms of culture, socio-religious cause etc. The family structure by which man is supreme ruler of the household, and activities within the family are considered as private, allows violence occur at homed. Apart from those traditional forms of violence such as wife battering and sexual harassment, women in these countries are also faced dowry related violence such as bride burning, kidnapping for the purpose of prostitution, and honour killing. Various laws permit dissemination against women and discourage reporting of violent act. Many national and international organizations including United Nations made assistance for tackling the menace of violence against women (Thiara and Gill 2009, 234).

In the recent perspective women's rights have been the gained attention world over. International organizations like United Nations enacted a charter UDHR by which equality rights of men and women have been already recognized worldwide. Later on, the Vienna Declaration in 1993, and Declaration of Beijing in 1995, stands in 2022 as a distinct contrast to the reality of the life for millions of women across the world. Women's economic, and cultural rights continued to be subverted. Women in India and other South Asian Countries similarly gone through the threat of different forms of violence including: sexual harassment by family members, and domestic abuse including spousal murder, acid attack, beaten and threatened, ritual honour killing and custodial abuse and torture etc.

The paper highlights on Indian women, but reference will also be made to women in South Asian countries such as Bangladesh, Sri Lanka, Pakistan etc. The reality of Asian women has always been hid in mystery due to lack of information on the part of the most author and scholars who generally engaged in this feminist discourse. Thus, it is vital to give an overview of the historical development of women's personality in order to understand the different dynamics of violence against them.

Violence against women: Historical Overview

Violence against women started back when Manu said about the inferior status of women in Indian society. It is depicted in the social codes for Hindus. He said that if a woman disrespect to her husband, she would suffer all the punishment of all. Later on, many renowned Indian figures attacked women's freedom and dignity.

In the Epic Mahabharata, Drupadi was the wife of five pandavas, married to all five brothers of Pandavas. Although the trauma of sharing her body five men remains unmentioned in the Epic, what was the situation of her not reflected in the Mahabharata (Radha2019,266).

The ill treatment of women continued until women were no longer important and dignified enough to do anything but service man's household. Honour and stigma centering remarriage led to creation of foul practice of Sati. These practices happen between the



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15th and 18th centuries when women’s physical chastity was marked extremely important. With the increasingly of oppression and suppression of women’s rights and entitlement, their voice was not expressed properly in public and private domain.

The National Crime Record Bureau published report on Crime in India, depicted crime against women is committed in every 3 minutes(www.ncrb.gov.in).

Centuries of objectification and oppression have now been ingrained deeply in our minds, since birth. Education is the only way to break the chain of violence against women.

Women now raised their voices, breaking the stigma among the people with the help of movements like “Me too”, there has been a certain change on women’s position globally and in India.

However, India has far way to go when it eradicate malpractices against women. Apart from the Indian context, women from South Asia continued to face various violence in their life cycles. Customs are so rigid of South Asia which creates impediment in front of their legal rights and justice.

Some historical features are similar to the South Asia centuries including agriculture based economy leading by tribal or feudal system, reflecting patriarchal structure followed by inferior status of women in socio-cultural milieu.

Apart from that polygamy is ratified by Hinduism and Buddhism, depicting women’s low status. Hindu cultures sati by which burning alive of the wife along with body of dead husband. Although Islam allows polygamy, granting the equal status of women in many area.

Due to industrialization of South Asian countries, women were push out of the lucrative job market and forced to return traditional unpaid labour in agricultural field. Due to unemployment and family barriers, women bound to take many low status job for their livelihood.

Violence against women: South Asian scenario

Since 1990s women’s movements spread out all over the world. In South Asia, a comprehensive and critical analysis of existing jurisprudence on sexual violence is newly emerging area of scholarship and core area of further research in various disciplines.

Ample evidence exists in feminist writings on the Bangladesh war or on the issues of the Chittagong Hill Tracts (Mohosin 2003), or on the Partition of 1947 (Butulia 1998 Menon and Bhasin 1998), in work on various perspective on women. In discourse on Muslim women in Pakistan (Hussain et al. 1997), on the Maoist Nepal (Thapa 2003), the state and Liberation Tigers of Tamil Elam (LTTE) in Srilanka (Nesiah1996) to name only a few. As well, much of what was known about the nature of impunity was, what the silence around it were and what were legal, social and cultural norms which the state drew upon tom enable and allow impunity. In South Asia, the women’s movement unable to create structure which enabled, strengthened and supported impunity and lack of accountability. Like women at the recovering end of sexual violence often rescued no support from their communities and families, and were equally seen to be some haw stigmatized by experiencing violence.

In Indian society, structures like panchayats, councils, khap panchayats tribal or feudal organizations have been imposed a violent and inegalitarian code on people seeking to excuse choices, and did not stop even murder, but they almost never faced any form of legal action.

Simultaneously, with these land struggles, NGOs both in India (Centre for women’s Development studies and Bangladesh (Grameen Bank, Bangladesh Rural Advancement Committee), initiated programmes for women which gave women’s group rights, agricultural facility and production. In India also by Cipko movement, women’s need for credit to promote employment and income was demonstrated by both government sponsored programmes and development oriented NGOs (Jahan1987,866).

In India, Sri Lanka and Bangladesh the new women’s movement emphasized rights. In Pakistan, the introduction of Sharia laws and consequently limitations on women’s legal rights, necessarily made legal and political rights the focus of the new women’s movement. In Pakistan Hudood ordinance which unable differentiate between adultery and rape (Jahan1987, 866).



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So, the decade witnessed that the large-scale mobilization of women in Pakistan for the restoration of democratic rights, as well as in protest against the discriminatory laws.

Women are also experiencing violence during the pregnancy in South Asian countries. Domestic violence are increased risk during pregnancy including reproductive disorder, pelvic pain, sexually transmitted diseases etc. During this time violence leads neonatal morbidity , mortality, physical trauma through increased stress. The WHO recommends that providers of family planning service, routine checkup of pregnant lady, offer emotional support. In Bangladesh experience shows that domestic violence can be reduced by generating income of women with the involvement of micro credit institutions.

Women’s safe heaven home is also affected area of Intimate Partner violence (IPV), reflecting the reality of slum areas as well as non-slum areas, district municipalities etc.

The causes behind IPV were power dynamics of gender relations of the relationship between male and female. There are so many risk markers including health status, gender role belief, socio-economic status (Sambisa et.al.2010, 170).

Apart from that violence against takes place through committed suicide by women. A recent report of English daily shows that aged between 15 to 29 women committed suicide because of a conflict between women’s increasing education and empowerment and the persistence of their lower status in Indian society. (<https://www.hsph.harvard.edu/news/hsph-in-the-news/india-women-suicide/>)

Kidnapping and abduction is the another form of violence, a report stated that women between 18 to 30 years of age were mostly abducted. 73% of the 4,051 kidnapping and abduction cases registered in the national capital last year. (Times of India)

The above-mentioned study shows that South Asian women have been gone through various types of violence which dismantle their physical and mental health. Patriarchal structure and inactive government measure have unable to tackle this menace.

CEDAW and Violence against women

India is ratified Convention on the Elimination of all Forms of Discrimination Against Women (1992) , respecting women’s rights and dignity irrespective of caste, class religion etc. In reality violence against women is rampant in Indian society. Gender based violence is a form of discrimination against women irrespective of caste, religion, sex, etc. The conditions enumerated by the CEDAW beyond the criminal justice system and encompass performance and protective measure (<https://in.boell.org/en/2019/12/12/cedaw-and-india-inscribing-rights-gender-and-sexual-minoritiess>).

However, violence against women remains an enormous problem in South Asian countries exacerbated by the governments’ in adequate response to the problem. The minimal response of the state regarding violence against women, despite the rampant violence against women occurred in India, it is widely believed that by the law enforcement system and society as a private family matter.

In India, large scale mobilization took place around a number of notorious rape cases. The police and landlord rape cases on the one hand raised women’s consciousness about the link between economic exploitation and sexual violence and oppression, and on the other demonstrated to women activists the weakness of their own movement. While sympathy was aroused about rape victims, there were no grassroots-level organizations to assist these women (Jahan1987, 867).

It is noteworthy that Pakistani law is inadequate in protecting women victims especially by domestic violence. Honour killings are also took place by the murder provisions of the Qisas and Diyat laws. In many cases these honour killings are justified on the bias that victims are engaging in immoral behavior that could not be tolerated in an Islamic state such as Pakistan. The Zina ordinance discourages rape victims from filing charges by presenting threat of potential threat of potential prosecuting for adultery (Associated Press 1998).

The Indian women’s movement has gained a growing public awareness of violence against women. Women activist came forward for mobilizing and making suggestions for significant changes in criminal code and police procedures in order to address various types of acts of violence. abductions of women sati, sexual harassment.



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Indian society gone through numerous protests by women’s organizations against dowry system, custodial rape, sexual harassment of young girls and women in public domain, trafficking and prostitution.

Apart from these public domains, violence against women have been taken place inside the family. Public –Private dichotomy is still prevalent in the Indian society. Home is always not safety heaven for women. Women are harassed mainly the four walls in their house. State response to violence such as passing the amendment 498A to the dowry Act of 1983, establishing all women police station, or setting up family counseling cells etc.

However, except for sensational cases, day to day domestic violence cases remained not reported or hidden in the private domain. At this outset, in 2005, India government passed Domestic violence act, aiming at tackle menace of violence inside the home and passed Sexual harassment of women at workplace act in 2013 for working women safety and security in public domain or work place.

Recommendations

There are many recommendations in order to combat violence against women. Individual countries must be strengthened their administrative system. Police must be trained to eliminate gender biases in their responses to cases of violence against women. Apart from that police must be trained their role in handling the cases like violence against women. In addition, the police should be trained in investigative methodology ensure to handle the cases of domestic violence.

The medical system should be improved and rape victims should get proper medical exams performed by female practitioners twenty-four hours a day, seven days a week, including national holidays.

Special prosecutors should be identified in every district to try cases of rape and other forms of violence against women.

The government should help fund telephone hotlines for women victims of violence in all major cities. These hot lines should be operated by trained staff who can deal counseling process and refer women to specialized services for women shelters.

United Nations High Commission on Human Rights should ensure that all United Nations agencies operating in South Asian Countries pay particular attention on the violence against women and develop programme and strategies design to combat the problem and promote gender equality.

World Health organizations (WHO) should provide technical assistance to the governments of these countries in promoting standardized protocols for conducting medical examinations in cases of rape and sexual assault against women.

WHO should also assist these governments in implementing training programmes for medical doctors responsible for conducting this medical examination.

International community focused on grants funds in cooperation with non-governmental organization s, programme to provide basic services for women victims of violence.

These services including shelter, legal aid, counseling etc by which women enable to get safety and justice for abusive treatment.

Use influence to encourage South Asian Countries to implement specific legislation that would combat the domestic violence. Apart from that provide funds for South Asian governments must be improving medical services and trained police personnel and gender biased free judiciary system in handling cases of violence against women.

Conclusion

Widespread awareness of all type’s measures regarding violence against women in South Asian countries, governments appear to be unable to put a stop to this menace. The NHRC reports stated that women’s domestic violence is the gravest violation of human rights. The dismissive approach of official sectors toward violence against women reflects that gender biases predominate the state machinery and law enforcement apparatus. Gender biased system against women, the criminal justice system does not operate as a way of redress and justice for women’s victims of violence. A comprehensive programme create measures and reversal of existing government attitudes and policies is required women’s victims of violence with proper remedies and equal protection of law. Indian



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government launched various programmes for save the girl child including Beti-Bachao awareness campaign, Beti Bachao, Beti Padhao etc (Ketaki 2018, 55). It is expected these programmes dismantle the gendered based violence in society Civil society, non – governmental organizations should come forward to protect the interest of violence of victims by providing shelters, legal aid, counseling and medical services. Overall holistic approach is the need of the hour to combat the menace of violence against women.

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