

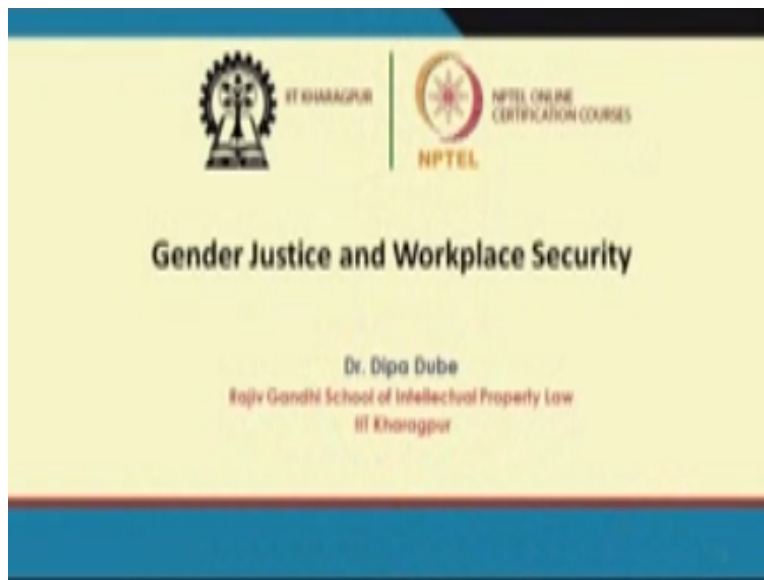
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COURSE
ON
Gender Justice and Workplace Security

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Lecture 14: Gender violence –Within Beyond

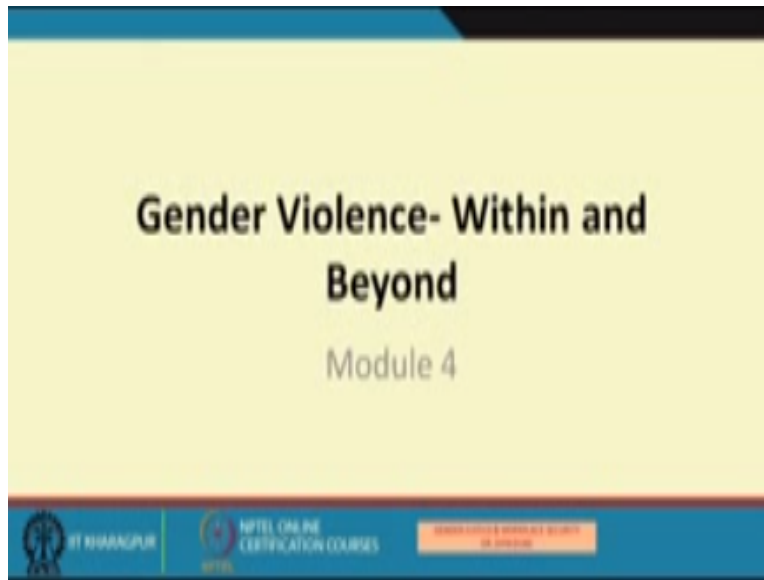
And welcome to the course on gender justice and workplace security.

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Now we will start the next module with regard to this particular course where we will concentrate on gentle violence.

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Within and beyond in the last lecture we have spoken of the issue of sexual harassment at workplace that is also a form of gender violence perpetrated against women but since it is in the context of employment or workplace therefore we have discussed it in the context of workplace security for women. We saw in the last lecture that there has been a law which has been passed to guarantee protection to women and take appropriate measures towards the prevention of sexual harassment at workplace which in present times has been a very serious issue facing women at the various workplaces they are engaged in.

Like sexual harassment there are various other forms of violence which we have spoken before which faces women, so in her as we have come across several incidents or instances of women take ease being attacked because they are returning from employment after completing their night shifts or they are alone returning in a car .maybe not provided by the employer and they are attacked and it is either a case of physical assault sometimes a case of sexual assault and many other forms of violence which they become subjected to.

So a woman is not safe anywhere and the issue of security of women has become a very grave issue in present times. So whether she is outside or whether she is at home or there are several problems and several situations where she becomes the victim of violence. So in this module we will try to see the concept of gender violence the various forms of gender violence and in that context move a little further to visit the problem of domestic violence against women and the other graver forms of violence such as rape etc.

Which are perpetrated and try to understand the legal domain which has been created in order to protect the cause of women? Now as we understand that the issue of gender-based violence in contemporary times is one of the graves issues facing women it is the worst form of discrimination which seriously inhibits woman's ability to enjoy rights and freedoms on the basis of equality with men. And that is why the United Nations recognized the fact that as long as there is gender-based violence which is in existence in society it is it will somewhere pose a hurdle to women's development and to a realization of women's rights.


So it is important the gender-based violence is somewhere controlled and restricted in society and ensured that the women in this society are able to live and live happily and safely with the full realization of their fundamental freedoms because such violence involves acts that result in physical sexual or psychological harm or suffering to women including threats of such acts quotient or arbitrary deprivation of Liberty. Now in the when we speaking of gender-based violence and speaking of the International perspectives we have tried to understand the concept of violence as defined in the Declaration of 1993.

now what is meant by violence we mean a conscious and deliberate act which is perpetrated to cause harm to the woman, so it is a type of a coercive behavior that involves the use of physical force against the other person that is the woman and it intends to lead to physical mental or some form of injury on the woman and it may sometimes even result in death of the woman. since we are speaking of gender-based violence we are speaking with reference to women though this definition of violence is more of a general definition where it can be when it is perpetrated against women it takes the colours of gender-based violence.


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Violence

An act of violence may be defined as a **conscious and deliberate act** that causes or threatens to cause harm. It is a type of coercive behaviour that involves the use, attempted use or threatened use of physical force intended to lead to physical or mental injury or even death, of the victim.



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Now gender-based violence as has been explained specifically targets women it is specifically directed against women and it intends to use force or threat or causes measures in order to perpetrate harm on a woman the fact which is important is the sex of the person because of the sex of the person being a woman that she is subjected to such kinds of acts.

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Gender Violence

Can be divided in two categories:

- **Physical, sexual and psychological violence occurring in the family**, including battering, sexual abuse of female children in the household, dowry-related violence and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.
- **Physical, sexual and psychological violence occurring within the community**, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;



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Now generally these gender-based violence can be divided into two forms the two forms based nowhere it occurs once where it is within the family and where it is within the community so whether one is within the four walls of a house with her immediate family members or one is out in the society within the community a woman is safe nowhere. So it may include physical sexual and psychological violence perpetrated against women in the family now in family it may involve wife battery it may involve sexual abuse of female children it may involve dowry liberated violence or other traditional practices harmful to women non spousal violence and violence related to exploitation.

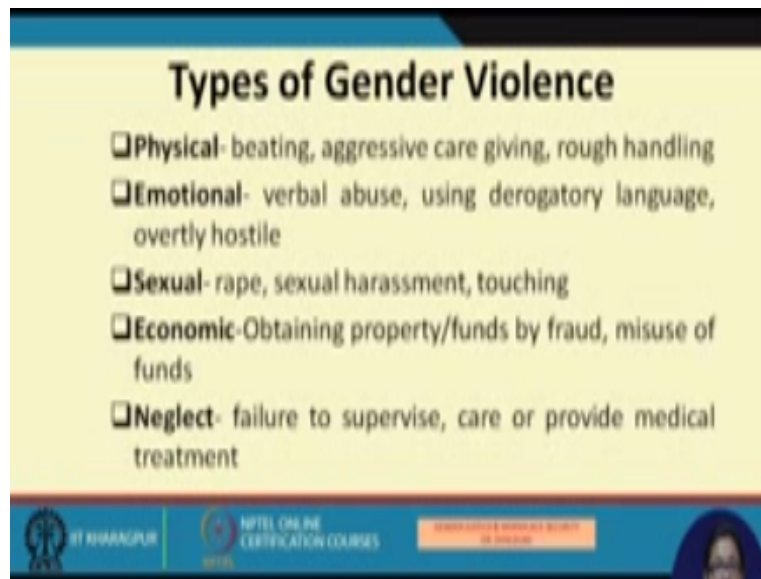
So this is how the United Nations has tried to explain gender violence and its two categories that one which is perpetrated by family members within the family where the girl child is at a threat of serious sexual abuse in the hands of the family members the wife of the family can be subjected to battering or physical assault in the hands of the spouse or the in-laws there can be doubted related violence when it comes to specifically in Indian context where the tradition of dowry exists or it may be other practices which are harmful to women.

So within the sphere of the family there are there are tremendous chances of one or the other forms of violence being perpetrated against women the same is true when it comes to acts committed how side committed beyond and that may include different forms of again physical sexual and psychological violence being perpetrated against a woman within the community and

such may include rape sexual abuse sexual harassment intimidation etcetera at workplace educational institutions trafficking of women forced prostitution and the list continues.

So therefore gender violence is one of the most serious and crucial issues which are facing women and a challenge which needs to be addressed by the state government with all the resources at its disposal.

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So therefore generally literature divides gender violence types of gender violence into five categories one whereat takes the physical form of physical violence there are certain examples which are given before you it may involve beating it may involve aggressive care giving it may involve rough handling, so therefore these are physical in nature many times in case of elderly women in the family or there have been instances reported of elder with elderly women in the family who have been subjected to aggressive behavior by the son and daughter-in-law or by the other members of this family.

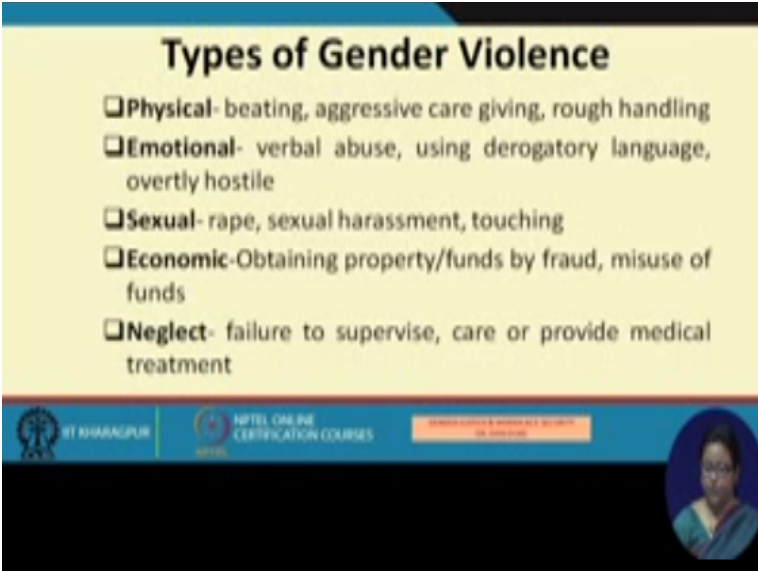
So she is maybe not given the necessary services she may be actually slapped or beaten or many times many other aggressive forms of behavior perpetrated on such woman. so they are more in this physical nature the next category or type of gender violence which is spoken of is emotional or what we may say at other times is psychological now there are some examples given of that involving verbal abuse use of derogatory language being overtly hostile now this really does not involve any sort of a physical act on the part of the other individual or the perpetrator but the

mere fact that that the behavior meted out to the woman is such that it causes or mental trauma or mental suffering to the woman.

And it is a sort of a pain and agony for the woman to bear with such situation so verbal abusers use of abusive language against another calling the woman of the family different names are examples where it takes the color of emotional or psychological violence the next one is sexual this is a very serious form of violence not to mean that the others are not so serious they are all very crucial and grave forms of violence however sexual brings in a situation where there is an invasion of the physical integrity of a woman by means of maybe touching groping by means of sexual harassment by means of the brutal form of rape being perpetrated against her and whereby or she is not only physically abused mentally abused but her entire it is sort of a nightmare and the Supreme Court has equated such situations of a woman facing sexual violence as that of a living corpse.

So it reduces the moment to a situation of corpse so therefore it is a very serious form of violation the other form of violence which is this is economic in nature where the woman is denied.

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Types of Gender Violence

- ☐ **Physical**- beating, aggressive care giving, rough handling
- ☐ **Emotional**- verbal abuse, using derogatory language, overtly hostile
- ☐ **Sexual**- rape, sexual harassment, touching
- ☐ **Economic**- Obtaining property/funds by fraud, misuse of funds
- ☐ **Neglect**- failure to supervise, care or provide medical treatment

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Necessary economic resources or property or even she may be her funds or her property may be taken away from her by fraud or there may be misuse of the funds which belongs to her in many situations such economic deprivation within the family etcetera extends to refusing the woman even the basic necessities of life by restricting her economic freedom and the last one is a situation of simply what we call as neglect it is completely not recognizing the existence of a person and not providing the necessary care the necessary supervision which is expected of the person in the family in a study which was conducted with regards to you know disabled women and disabled children it was found that if there is a disabled girl child in the family the family is completely oblivious to the fact that there is another human being in the family.

So the family does not even recognize the girl child as existing except for the bare minimum does not provide for the health the food the necessary care which is necessary for such child. Now that is a situation which amounts to neglect there is a complete failure on the part of the in this case the family.

This is just as an illustration of the family to recognize the needs the necessities of the other human being. And to provide for the necessary care or maybe medical treatment etc., which is so gender violence when we speak of it can take any of the forms of five types or it may be a combination of one or more and it can have be in more graver forms such as physical sexual or it can be more in, in more subdued forms as incase of maybe emotional abuse or in case of neglect.

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So these are the forms of offender violence which is perpetrated now if we look into gender violence in Indian perspective. We come across a situation where there are multiple practices which are existing in society it is something which is very difficult to really state and say that these are the number of types of atrocities which is there. Because there are a plethora of practices and traditions existing in Indian society which are targeted towards women and where women become victims of such gender violence.

In this picture we have tried to indicate some of the forms of violence or gendered violence which is perpetrated all of us living in society are aware of it in one or the other forms so it may be gender it may be domestic violence domestic violence which happens within the family along with domestic violence. We have also the situation of or the problem of dowry in Indian society as we said it is an evil which has been practiced for decades and centuries and today.

Because of the greed of people because of the rising wealth of people somewhere the concept of dowry has also taken enormous proportion resulting in many cases many unfortunate cases deaths of the young married women within the family. Young married Brides in the groom family. Because she is coerced to bring in more dowry for the family of the husband and the in-laws and many times she has to lose her life not being able to meet the constant demands.

Which are leveled against her and the consequent torture which is perpetrated on her so therefore death also takes the color of domestic violence which is perpetrated within the home? Then there is the issue of female feticide which we have referred to it is still a problem which is in existence in India where the unborn child is put to death. In some form or the other by way of because the female child is most unwelcome in the family and so.

Therefore there is a deliberate an intentional act on the part of the parent parents or maybe the extended family to see to it that the unborn child is put to death. Now this is a very serious problem and there have been consequent laws which have been passed in order to restrict this practice of sex determination. Which is illegal so far as India is concerned but even in spite of that probably many of us or all of us know that there are many such illegal clinics which exist in different parts of the country?

And we often come across instances of illegal abortions etc taking place many times the woman or the mother-to-be is merely a victim in the circumstances. Because she has a very little say in

the family decision-making process. And she is only made to abide by the larger decisions of this family. And many times she is also tortured and coerced to undergo such medical procedures so as to see that the child is not born.

Trafficking or what we refer to as human trafficking is a huge international problem. It is a problem where, minor's basically young girls and even older women many times are trafficked from different parts of the state from different countries. And taken to some other locations for one or the other illegal purposes. Generally when wherever to situations where these women are put into the product prostitution trade.

And thereafter they have a life where they are they are near puppets and are required to work day in and day out. Against their wishes servicing clients who pay money to get their services and in the process are the rights her dignity, her freedoms are all sacrificed in the process. So therefore trafficking is a very big problem. And it is an international problem it is not only a problem exclusively to India.

Because borders are quite porous and it may be from Nepal to India or it may be from India to some other countries or, or many of the countries are involved in the process and there are international efforts to curb it. But this is a very serious problem plaguing women for all times. Sexual harassment we have already seen, and it is gradually you know increasing and we are having greater instances or increasing instances of sexual harassment being perpetrated.

One aspect which we have seen is such harassment being perpetrated at the workplace. But it may be other than the workplace as well. So it may be a bust and it may be a railway station or it may be some other street where the woman is walking or a woman is visiting and she can be subjected to one or the other form of sexual harassment. Which many times we use the word eve-teasing in the process and thereby she is demeaned.

Somewhat similar we have the issue of out raiding the modesty eve-teasing molestations of women. Where she is subjected to one or the other forms of demeaning behavior. Which some word affects the modesty of a woman and if it becomes more serious it can turn it. It can further serious offense which can be perpetrated is the offense of rape. This offense also we will see in subsequent lectures as a very brutal and serious form of violence which is perpetrated against women.

Probably all are aware of the 2012 incident of what we call as of media which resulted in the death of the woman aware, on a night in December she was violently violated by few accused in a running bus. And therefore, thrown out of the bus the way in which the accused had a tore apart her body and invaded her was something which shocked the collective conscience of the society.

So here we are speaking of the offense of rape a very gruesome and brutal form of violence perpetrated against women. Another may be honor killings which also may be mentioned as of form of violence where the in order to maintain the honor of the family. The family members intend to see that if a woman has done anything which brought in what they feel as distribute to this family.

Then the--the girl and many times the other person the boy is also put to death is put to merciless beating and there are many instances in different parts of the country where such honor killings have taken place. Such --such violence also may target men but largely the crux from where it starts is the woman. And she is regarded as maintaining what is called the his/her of the family and her action as take is taken as bringing disrepute to the family.

Apart from that there can be multiple other instances are being spoken or four types of violence be a switch can be spoken of. When you come to India maybe one we can speak of his acid throwing which during the last few decades have become many in numbers and young girls who have refused to accept the continuous demands of a person etc.

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Women Specific Legislations

- The Immoral Traffic (Prevention) Act 1956
- The Dowry Prohibition Act 1961
- The Indecent Representation of Women (Prohibition) Act 1986
- The Commission of Sati (Prevention) Act 1987
- The Pre natal Diagnostics Techniques Act 1994
- The **Protection of Women from Domestic Violence Act 2005**
- The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013

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Have been put to you know this type of violence by throwing acid on her face and her body. And somewhere which has disfigured her and somewhere ruined her entire life. In the form of you know being disabled in one or the other way her chances of working her chances of education etc is affected in the entire process. And therefore in light of these various forms of violence which is perpetrated there are a whole set of specific legislations.

Which have been enacted from time to time there may be many others but just to list a few the immoral traffic prevention at 1956 which speaks looks into the issue of human trafficking. The dowry Prohibition at 1961, which prohibits be the giving or taking of dowry the indecent representation of Women Act. Which prohibits the representation of women as it happens in advertisements as it happens in media and Marius of other places?

Where women are objectified and shown in are exhibited in an obscene manner. The commission of sati Prevention Act which refers to the ancient practice of sati or burning her at the funeral pyre of the husband. The prying of the diagnostic techniques at 1994, having reference to the sex determination test etcetera. The protection of women from Domestic Violence at 2005. A specific civil legislation which has been brought in to take care of the interests of women and the one which we have seen in the previous lectures.

The sexual harassment of women prevention prohibition and lidressal at 2013. So in this way these various laws have tried to address the issue of violence against women. And in the next lecture we will try to see the issue of domestic violence and what are the type of remedies and release which have been laid down under the domestic violence at. Thank you.