



**MEASURING
VIOLENCE AGAINST WOMEN:
*A STATUS REPORT (Part 1)***

A REPORT COMPILED & PREPARED BY EQUITY FOUNDATION
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Position of Women in India

WOMEN IN ANCIENT INDIA

The position of women in ancient India was vital. They used to take important decisions and were also allowed to choose their own husbands through the ancient system of "Swayamvara". Access to education was easy for the women in ancient times. Through the massive Women Education in Ancient India several women seers and thinkers originated in ancient times such as Gargi and Maitreyi. Women enjoyed the tremendous right to education and teaching. The women intellectuals in ancient India gathered eminence by participating in educational debates and discussions in the assemblies of erudite persons. *Gargi was a prominent participant in the ancient society beside men such as Uddalaka Arni.* Mahabharata by Veda Vyasa sketch the persuasion of Draupadi on the husbands to overthrow the Kauravas. Valmiki's Ramayana also depict the influence of Sita that resulted in the wiping away of Ravana.

WOMEN IN MEDIEVAL INDIA

The Indian woman's position in the society further deteriorated during the medieval period when Sati among some communities, Child Marriages and a ban on widow remarriages became part of social life among some communities in India. The Muslim conquest in the Indian sub-continent brought the Purdah practice in the Indian society. Among the Rajputs of Rajasthan, the Jauhar was practised. In some parts of India, the Devadasis or the temple women were sexually exploited. Polygamy was widely practised especially among Hindu Kshatriya rulers. In many Muslim families, women were restricted to 'Zenana' areas. In spite of these conditions, some women excelled in the fields of politics, literature, education and religion. Razia Sultana became the only woman monarch to have ever ruled Delhi. The Bhakti movements tried to restore women's status and questioned some of the forms of oppression. Mirabai, a female saint-poet, was one of the most important Bhakti movement figures. Bhakti sects within Hinduism such as the Mahanubhav, Varkari and many others were principle movements within the Hindu fold to openly advocate social justice and equality between men and women. Shortly after the Bhakti movement, Guru Nanak, the first Guru of Sikhs also preached the message of equality between men and women.

WOMEN IN INDEPENDANT INDIA

Women in India now participate in all activities such as education, sports, politics, media, art and culture, service sectors, science and technology, etc. Indira Gandhi, who served as Prime Minister of India for an aggregate period of fifteen years is the world's longest serving woman Prime Minister. The Constitution of India guarantees-

- to all Indian women equality (Article 14),
- no discrimination by the State (Article 15(1)),
- equality of opportunity (Article 16),
- equal pay for equal work (Article 39(d))

In addition, it allows special provisions to be made by the State in favour of women and children (Article 15(3)), renounces practices derogatory to the dignity of women (Article 51(A) (e)), and also allows for provisions to be made by the State for securing just and humane conditions of work and for maternity relief (Article 42).

WHAT IS GENDER BASED VIOLENCE?

Violence against women and girls includes physical, sexual, psychological, and economic abuse. It is often known as "gender-based" violence because it evolves in part from women's subordinate status in society.

FORMS OF VIOLENCE AGAINST WOMEN

Any form of Physical, Sexual, Emotional harm that is caused to a woman, whether at home or out in the open, whether a threat or depriving her of her rights.

Whether a woman is beaten by her husband, or other members of the family, or she is raped by an unknown individual

Acid attacks, dowry deaths, female foeticide and infanticide, rape, emotional torture, child marriage, forced marriage.

FORMS

LAND AND PROPERTY RIGHTS

- In most Indian families, women do not own any property in their own names, and do not get a share of parental property. Due to weak enforcement of laws of protecting them, women continue to have little access to land and property.
- The Hindu Personal Laws, 1956 gave women rights to inheritance. However, the sons had an independent share in the ancestral property, while the daughters' shares were based on the share received by their father. Hence, a father could effectively disinherit a daughter by renouncing his share of the ancestral property, but the son would continue to have a share in his own right. After amendment of Hindu laws in 2005, now women have been provided the same status as that of men.
- In 1986, the Supreme Court of India ruled that Shah Bano, an old divorced Muslim woman was eligible for maintenance money. However, the decision was vociferously opposed by fundamentalist Muslim leaders, who alleged that the court was interfering in their personal law. The Union Government subsequently passed the Muslim Women's (Protection of Rights upon Divorce) Act.
- 1994: all the churches, jointly with women's organisations, drew up a draft law called the Christian Marriage and Matrimonial Causes Bill.
- However, the government has still not amended the relevant laws

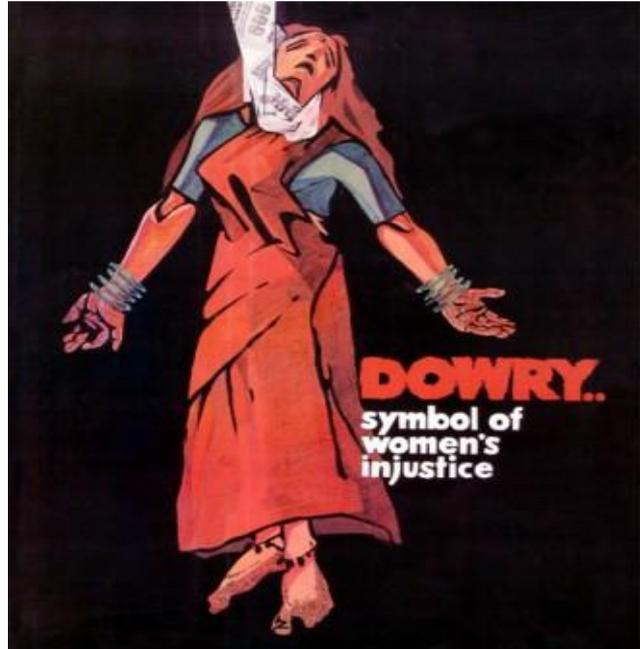


SEXUAL HARASSMENT

- Half of the total number of crimes against women reported related to molestation and harassment at the workplace.
- Eve-teasing is a euphemism used for sexual harassment or molestation of women by men. Many activists blame the rising incidents of sexual harassment against women on the influence of "Western Culture".
- On September 2012, Indian Parliament passed legislation protecting women from sexual harassment at work.

DOWRY

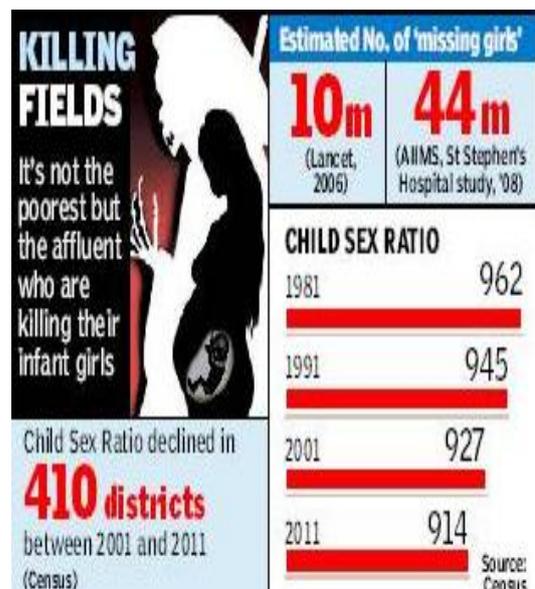
- Dowry, traditionally an upper caste Hindu practice of the bride's family offering wedding gifts to the bridegroom's family, is now widely practiced by all religious communities across the country, despite the law that prohibited dowry way back in 1967
- The Dowry Prohibition Rules, 1985: A signed list of presents given at the time of the marriage to the bride and the bridegroom should be maintained. The list should contain a brief description of each present, its approximate value, the name of whoever has given the present and his/her relationship to the person.



- Women's Rights Activists have been complaining that the police inaction and low rate of conviction make this social evil an acceptable practice in the country.
- According to statistics released by the National Crime Records Bureau, 8391 dowry death cases were reported in the year 2011 while the conviction rate was just 34%.

FEMALE FOETICIDE

- Studies show a sharp drop in the sex ratio after the introduction of ultrasound machines, used for determining the sex of foetuses, resulting in selective abortion of female foetuses.
- Estimates for the total number of "missing girls" since 1980 range between 10 million to 44 million, depending on assumptions.
- The results of the 1991 Census came as the first major shock, with the child sex ratio crashing from 962 girls per 1000 boys to 945 in just 10 years.



- The Pre-natal Diagnostic Techniques Act came into effect in 1996 and it outlawed the disclosure of the sex of the foetus. The act has not been able to arrest the continuous decline of India's child sex ratio.
- In 2001, it fell further to 927 girls per 1000 boys, and
- In 2011, it crashed to 914. In just thirty years, there are now 48 fewer girls per 1000 boys.
- Violations of the PNDT Act are rampant, and campaigners accuse the government of not being proactive in clamping down on clinics offering sex determination tests. And here comes in the truly shameful part – it is not the poorest and least literate areas and communities that are killing off their infant girls; in fact the reverse is true.
- The 2011 numbers show that the states with the worst child sex ratio (CSR) are not the most backward: the prosperous agrarian states of Haryana and Punjab bear that shame with the neighbouring industrial hubs of Delhi and Chandigarh just slightly better.



WITCHCRAFT KILLINGS

Dayans are usually women, who have lost their husbands, live alone or are unconventional in some way, thus being feared and avoided. They are accused mainly of targeting men and children, thereby demonising them and victimising men. Upon speaking to a local in a village in Bihar, it was revealed that branding widows as '*dayan*' has a deep connection to property owned by these women, who are usually widows. Thus branding a woman as a witch, an exercise that is often orchestrated by in-laws or other relatives, would allow for her to be ostracised and driven away, leaving the property to be usurped by interested parties.

CHILD MARRIAGE



the age of 18.

- Child Marriage has been traditionally prevalent in India and continues to this day. Although Child Marriage was outlawed in 1860, it is still a common practice.
- According to UN Agencies, more than 40% of the world's child marriages happen in India. In eight states of the country, more than half of young girls are married before

- The UN Women will conduct a programme to promote women's political leadership and governance in 16 districts in five states of India- Madhya Pradesh, Andhra Pradesh, Karnataka, Rajasthan and Odisha. Prevention of Child Marriage would be the part of the programme.
- In India, roughly 47.6% of girls are married by the age of eighteen. The practice is particularly rampant in states like Rajasthan, Madhya Pradesh, Uttar Pradesh, Bihar and West Bengal.
- *Factors:* Traditional Gender Norms, the value of virginity, and parental concerns surrounding pre-marital sex, pressure of marriage transactions, and poverty.

KHAP PANCHAYAT: POWER OR HONOUR

- *Khap is a cluster of villages united by caste and geography. It was started in the 14th century by upper caste Jats to consolidate their power and position.*
- *The main rule is that all boys and girls within a Khap are considered siblings. Khap Panchayat governs the Khap formed by same gotra (clan) families from several neighbouring villages.*
- *Khap Panchayats are prevalent in Haryana, western Uttar Pradesh and parts of Rajasthan. Love marriages are considered taboo in areas governed by Khap Panchayat.*
- *Those living in a Khap are not allowed to marry within the same gotra or even in any gotra from the same village. Many young couples have been killed in the past for defying Khap rules. Khap Panchayat imposes its writ through social boycotts and fines and in most cases end up either killing or forcing the victims to commit suicide. All this is done in the name of honour and brotherhood.*

TRAFFICKING OF WOMEN & CHILDREN

- Trafficking in women and children is the most an abominable violation of human rights.
- Trafficking in its widest sense include the exploitation girls by pushing them into prostitution, forced labour or services, slavery or practices similar to slavery and the trade in human organs.
- Women and children are trafficked an exploited, and forced to lead a life of indignity, social stigma, debt bondage and a host of ailments including HIV/AIDS.
- Acute poverty and lack of employment opportunities has been abetting an increased voluntary entry of women into sex work. Trafficking is a complex challenge as it is an organized criminal activity.





WORLDWIDE VIEW



A quick look through the daily newspapers will give us an idea of the epic proportions the phenomenon has taken. Sample some of these facts from around the world:

- At least one out of three women has been beaten, forced into sex, or abused during her lifetime, according to a study based on 50 surveys from around the world. On most occasions, the abuser was a member of the woman's family or someone known to her.
- One woman in four has been abused during pregnancy.
- More than 60 million women worldwide are considered 'missing' as a result of sex-selective abortions and female infanticide, according to an estimate by Nobel Laureate Amartya Sen.
- The World Health Organisation has reported that up to 70% of female murder victims are killed by their male partners.
- Interpersonal violence was the 10th leading cause of death among women between the ages of 15 and 44, in 1998.
- Population based studies report that between 12 and 25% of women have experienced attempted or completed forced sex by an intimate partner or ex-partner at some point in their lives.
- The United States has a dismal record in this: the numbers of women murdered by their close relatives are 15 per million per year
- In a recent report by the United Nations Population Fund, it emerged that as many as 70% married women in India between the age of 15 and 49 are victims of beating, rape or coerced sex. Despite a series of laws that have been enacted to tackle this problem, the only result has been a slight decrease in domestic violence and a large number of cases in which the law has been abused by women
- According to the UN, one in three women around the world between the ages of 20 and 24 years old were first married before they turned 18. In total, over 60 million girls worldwide are child brides, married before the age of 18, primarily in South Asia (31.1 million) and sub-Saharan Africa (14.1 million). Child marriage exacerbates all the challenges faced by girls, increasing the chances of domestic abuse, a poor or non-existent education, isolation from family, and unhealthy pregnancy.



- In Britain, one woman is killed by her partner every three days, one woman in four experiences domestic violence and attacks on partners account for a quarter of all violent crime.
- In France, six women die each month at the hands of men who profess to love them.
- Women earn less than men in all 27 European Union countries, according to a recent European Commission report. In 2005, the pay gap was 15% across the European Union.
- Acid attacks also known as vitriolage is a violent attack especially on women. Every year around 1500 people are attacked in this way across the world. Reports indicate that out of them, 80% are women and 40% to 70% are below 18 years of age.

