

Crime Against Women and Its Impact on Status-Reflection of Patriarchal Values

Dr. Meenu Singh

Assistant Professor, Mawana College of Law, Mawana, Meerut, Uttar Pradesh

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Abstract

Time is witness women condition has changed the most. The general position and status of women were changing from age to age. The times of closed barriers are gone. So, it is in such an age that the issues of women have been felt acutely all over the world. Women face a unique set of challenges on account of their gender community status. Crime against women is a major concern as the social status of women get jeopardized due to that. The research analyses the current scenario with respect to gender violence with in a background of the social position of women in Indian society.

Keywords: Social Status; Crimes Against Women Discrimination; Patriarchy.

Classification-JEL : H26, M15

1. INTRODUCTION

India, the second highest population country of the world, comprises women as half this total. The differences between man and woman may be small but they have snow balling effects on the status of majority of woman. Gender has always shaped the legal and cultural landscapes of all country's women. Women status and identify in Indian society is very important issue for the development of country.

In the context of women status implies: What is her position in the society? What her rights and privileges? Does she has access to power, authority and privileges? How was her position been changed?

One of the best analysis is that of Allen¹ Status may be described as the fact or condition of membership of group of which the powers are determined by law. Status affecting not

merely one particular relationship, but being a condition affecting generally through in varying degree a member's claim and powers.

This analysis of Allen's shows status is a condition which means status is dynamic which change day to day adjustment of detail or by reform of large scale which be become inevitable when the whole social structure begins to change.

Allen's analysis of status is applicable in Indian context where status of women has been changing overtime.

It was soon realized that no country can progress if half of its population is behind socially, economically and politically.

2. METHODOLOGY

The present study is based on primary and secondary data like journals, books, internet surveys etc.

- a) Objective of the Study : To know and analyze the present status of women in India.

To explore the causes in increasing the crimes against women in India.

- b) Scope of the Study : The research analyze the current scenario with respect to gender violence with in a background of the social position of women in Indian society.

- c) Hypothesis : At present women has a better status in the society than in the past.

Crime Against women in reflection of Patriarchal Values.

3. REVIEW OF THE STUDY

Women of ancient India, especially during vedic and Indus Civilizations received a great divine honour and were worshipped as goddess. The concept of 'Ardhanarishwara" is a symbolic representation of the fact that man in incomplete without women.

- a) American Historian: "Women enjoys for greater freedoms in the Vedic period than in later India. She had to say choice of her mate than the forms of marriage might suggest. She appeared freely of feats and danced and joined with men in religious sanities. She could study, and like garge, engage in philosophical disputation. If she was left widow there were no restrictions upon her remarriage.

Women in ancient India used to be much respected. There is no exclusion of women according to the Vedas. The Sukta specifically emphasizes that girls should receive the same level of training as boys.

- b) Medieval Period: Due to the Muslim influence, the socioeconomic status of women were very much lowered. The social evil like "purdah" system, child marriage "Sati Paratha", "Johar", come into force. The outstanding change has been the change from freedom to bondage and from honor to disgrace. In British period the attitude, behavior and living pattern of society changed drastically. In the 19th century, the religious reformers took up the cause of emancipation of Indian women. Eventually as a result of their efforts widow

remarriage Act (1856), child marriage restraint act (1929), The commission of Sati prevention Act (1987) was enacted.

In 1924, All - India Women's conference was established and grew to become the single largest women's organization giving voice to many divergent groups and including a variety of demands, old and new education for women, economic equality, pension of widow's the right to inheritance, divorce.

The impact of such demands was seen in such legislations as the Sarda Act (1929).

During this period two movements first social reforms movement of 19th century and second nationalist movement of 20th century affected the position of women and raised the question of equal status of women. In the independent India the framer of the constitution were aware of the sociology of the female. They realized that equality was important for the development of nation. It becomes the objective of the state to protect women from exploitation and provide social justice. It also demonstrates strong shades of patriarchal subordination.

Some of the important enactments include medical termination of pregnancy Act (1971). The equal remuneration Act (1978) the dowry prohibition Act (1984). Passed in 2005 another achievement come into the goal of women domestic violence Act (2005) passed. One day after international women's day Rajya Sabha passed women's reservation Bill, ensuring 33% reservation to women in parliament and state legislative bodies.

However, despite the laws, discrimination and violence continues unabated. She has been appressed in every walk of life wherever she was subjected to rape, assault, sexual harassment etc. They can be burnt for not bringing enough dowry. This is the reality of Indian women. Our society is dual in nature. Passing of laws and making is one thing and its absorption in the collective thinking of society is a quite different thing. Men in our society do not consider women their equals and when women tries to assert equality, there are tremendous backlash. The social system is predominately

characterized by patriarchy. According to the socialist view, women's inferior status is rooted in private property, and class-divided society. Sexist ideology and structures such as the family maintain women's inferior status in society. Oppression is inclusive of exploitation but reflects a complex reality. For the socialist feminists it is imperative to understand the operation of hierarchical sexual ordering of society within the class structure. They also feel that overthrow of the capitalist system by itself will not mean transformation of patriarchal ideology. It would be necessary to organize struggles simultaneously against capitalism and patriarchy. Rape, sexual harassment, domestic violence, reflect the gender discrimination scenario. "Acid Attack", and "honour killing" are another examples of power asymmetry between men and women.

"The typical Indian mindset of male superiority vis-a-vis female gender, which inhabits them to accept the fact, that today's women, are equally liberated, especially financially and intellectually to the root cause behind such appalling behavior of Indian Men."

4. FACTORS BEHIND THE CRIME AGAINST WOMEN

- a) Women's membership is marginalized group.
- b) low levels of education (for boys associated with perpetrating violence in the future and for girls, experiencing violence);
- c) limited economic opportunities (an aggravating factor for unemployed or underemployed men associated with perpetrating violence, and as a risk factor for women and girls, including of domestic abuse, child and forced marriage, and sexual exploitation and trafficking);
- d) The presence of economic, educational and employment disparities between men and women in an intimate relationship;
- e) conflict and tension within an intimate partner relationship or marriage;
- f) Gender Disparity : is one of the deep rooted cause of violence against women

that put women at risk of several forms of violence.

Discriminatory gender norms and gender stereotypes results into structural inequality.

- g) **Psychiatric Morbidity:** Generally, refers to the incidence of both physical and psychological deterioration as a result of a mental or psychological condition, generally caused due to the consumption of alcohol.

Regular consumption of alcohol by the husband has been strongly associated with poor mental health of women.

Alcohol operates as a situational factor, increasing the likelihood of violence by reducing inhibitions, clouding judgment and impairing an individual's ability to interpret cues.

- h) **Sociodemographic factors:** Patriarchy has been cited as the main cause of violence against women. Where women have a higher economic status than their husbands and are seen as having sufficient power to change traditional gender roles, risk for violence is high.

- i) **Family Factors:** Exposure to harsh physical discipline during childhood and witnessing the father beating the mother during childhood is a predictor of victimization and preparation of violence against wife in adulthood.

Though risk factors vary, some characteristics seem to increase the likelihood of crime the risk factors can be grouped in the following subsets. Family and relationship; with in families risk of crime or violence increases with marital dominance economic stress and poor family functioning e.g. Domestic violence, cruelty.

Community: with the communities the risk is higher where there is gender inequality of committing cohesion or resources e.g. rape, sexual harassment, prostitution.

Societal: On a broader level higher risk is found in societies with traditional gender bias, lack of autonomy for women and where there

are restrictive laws on divorce or where there is social break down due to conflicts or disaster e.g. honour killing, dowry deaths, early marriages.

5. PROBLEM AND SHORTCOMING IN LEGISLATIVE PROVISION

Various legislative acts are violated actual practice. The child marriage restraint act is frequently violated especially in rural areas. The non cognizable character of the offence makes the law ineffective.

Dowry prohibition act has failed miserably. The provision on regarding the gifts hits of the very objective of the Act as dowry is given in the form of gifts, often courts have rationalized such demands, gifts and payments.

Another issue is delayed trials in rape cases. In the case of rape the judiciary needs to be sensitive timely. The Indian Police do not always follow protocol when responding to rape allegations police sometimes pressure the victim's family to "settle or compromise" especially if the perpetrator is from a powerful community. Another issue "delayed trials in rape cases.

Many women do not report violence and are unwilling to admit the causes of their injuries for fear further victimization or bringing shame or dishonour to the family. The victim is

more vulnerable and the remedy is more difficult.

6. CONCLUSION

Undoubtedly women of today in India enjoy better status and freedom than women in past, but this is the positive side of Indian women. Indian society is heterogeneous in nature women belong to different social and economic strata and what is true in case of one particular in case of one particular category may not be true in case of others.

On the negative sides Indian women suffer from money disability and social injustice. The basic reason of crime against women is their inferior status in a male animated society. It makes gender discrimination a live and terrifying experience for women and ensures their subjugation. The strict implementation of existing anti discrimination legislation is essential to combat the gender-based violence discrimination this requires political will social awareness, education, and other factors too.

The increasing incidence of practices rape domestic violence, assault, indicate the gap between the men and women cannot be bridged by just enacting laws. Law would be effective only if they are backed by major section of society. Herculean effort is still needed to hasten change.

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