
Exploring the Intersection of Gender Based Violence and Preserving Human Dignity

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Abstract

Gender-based violence (GBV) is one of the most widespread and a socially tolerated form of violence. GBV denies the human dignity of the individual and hurts human development. It encompasses various forms of physical, psychological and socioeconomic harm inflicted upon individuals. Both males and females experience gender-based violence but the majority of victims are women and girls. This study delves into the multifaceted relationship between gender-based violence and human dignity highlighting the far-reaching consequences of such violence on individuals and society as a whole. This study provides an overview of various types of gender-based violence including physical, verbal, psychological, sexual, economic, and domestic violence and examines the detrimental impact of such violence on the inherent worth and rights of women. It delves into the underlying societal norms, power imbalances, and systemic factors that perpetuate these abuses. This paper shows some data which shows the gender inequality, rape, acid attacks, and domestic violence cases in India. These data indicate that violence against women in society does not seriously affect the ability for gender equality but is also harmful to human dignity. Additionally, the study underscores the role of cultural factors, legal frameworks, and institutional responses in either mitigating or exacerbating the impact of gender-based violence on human dignity. By analyzing case studies and real-life narrative data, the paper underscores the importance of raising awareness, fostering gender equality, and implementing comprehensive support mechanisms to restore and uphold the dignity of survivors.

Keyword – Gender, Violence, Women, Equality And Human Dignity.

Introduction

The UNHCR defines Gender-Based Violence as “harmful acts directed at an individual based on their gender. It is rooted in gender inequality, the abuse of power and harmful norms. Gender-Based violence (GBV) is a serious violation of human rights and a life-threatening health and protection issue. Gender based violence includes any physical, sexual, psychological, economic, and also any suffering of women in the form of restricting their freedom in personal or social life. While all victims of violence, whether adults or children, find it traumatising, gender-based violence is mostly committed by men against women and girls because of their gender.

In India world’s largest population are live. According to the census report the overall female population in India is 48.46% of the total population. According to UNDP report 2023 India ranks 122 out of 191 countries in the gender inequality index which reflects the inequality between men and women in terms of reproductive health, empowerment and the labor market. With a score of 0.490, the country has a long way to go to achieve gender equality. Women are so helpless in the Indian society where many female goddesses are worshiped. In the Vedas, women are glorified as mother means one who can create and nourish a life. On the other hand, they have found themselves suppressed and subjugated by the men in the patriarchal society. According to the National Crime Records Bureau of India, reported incidents of crime against women increased by 15.3% in 2021 compared to the year 2020 and the crime rate (calculated as per one lakh of population) has increased from 56.5% in 2020 to 64.5% in 2021. All the cases of crime against women, a majority of the cases fall under the category

“cruelty by a husband or his relatives.” The private space of the family, which should ideally provide the highest level of safety for women, has failed to do so. Given that the vast majority of crimes go undetected, the NCRB data represents simply the tip of the iceberg. According to a research that combined data from the NCRB on crimes reported to the police with information from the National Family Health Survey on actual experiences of crime victims, as much as 99.1% of sexual violence, including marital rape and assault, goes unreported. Women do not disclose domestic abuse despite laws protecting them from it because they are afraid of vengeance, victim shaming, and loss of family honour. When they feel they have neglected their home responsibilities, women frequently normalise domestic violence. Financial reliance, movement limits, and ignorance of legal options are other obstacles which increase the violence against women.

Classifying Forms Of Gender-Based Violence: Understanding The Categories-

Violence in the family – many violence are started in our family like sexual abuse in children in the household, sex-selective abortions and female infanticide, dowry-related violence, rape and incestual rape by family members, honour crimes, violence against lesbian, bisexual and transgender people, and violations of sexual and reproductive rights.

Violence in the community In this category including rape case, sexual abuse and sexual harassment in public places and work places, trafficking in women and children, acid-throwing, violence against adivasi and dalit women and violence against women with disabilities, communal violence,

Violence perpetrated or condoned by the state – these types of violence are , violence against women migrant workers, refugees and internally displaced persons, custodial rapes communal violence and other contexts of mass crimes.

Some Major Forms Of Gender-Based Violence Against Women In India- In our country violence against women is very common. Women and girls in India are vulnerable to several forms of violence throughout their lives. The gender-based violence against women is as follows-

1. Sexual Violence –In India sexual violence is a major problem. Mostly women and girls are faced to this violence In sexual violence include Rape, sexual harassment in work places, is any form of forced sexual activity or touching. All forms of sexual violence are crime under the criminal code.

1. Sexual harassment in work place- No one can better explain the meaning and reality of sexual harassment than the women who have experienced it, so if you want to understand how it affects women, you must listen to their stories. Sexual harassment has a negative effect on women's equal rights and has a broad reach in the workplace. Not only does it affect her, but it also directly affects society's advancement and job effectiveness. It is a constitutes a gross violation of women's right to equality and dignity. When a woman becomes distressed by sexual harassment, she experiences certain negative impacts that are as follows...

- (1) Decreased work performance
- (2) Increased absenteeism, loss of pay
- (3) Loss of promotional opportunities
- (4) Job and career consequences,
- (5) Depression, Anxiety, panic attacks, sleepless,

2 Rape- it is the sever sexual violence in world. Rape is a serious offence that shouldn't be forgotten. It is a crime that makes a girl's life unbearable because it is not just a physical touch; it is also a mental touch that is very difficult to forget, and if a girl wants to ignore it, society

doesn't want her to do so because they believe that if she does, she is no longer as pure as she once was because in India, people judge a girl by her side of the body, her colour, her virginity, etc.

Statistical data

1. According to NCRB report a total no of 31,677 rape cases were registered in India during 2021 – or around 87 rape cases every day on average.
2. In Rajasthan the highest number of rape cases are recorded then Madhyapradesh and Uttar Pradesh next one.
3. Over 3,00,000 rape cases were reported in India from the years 2011-2020.
4. Approximately half of the victims are between the ages of 18 and 30

2 Domestic violence- One of the most heinous crimes against women is the sexual, physical and psychological violence that they experience at home and in most cases is committed by someone the women know and are intimate with. when a women faced a violence in intimate relationship it's called the "intimate partner violence" or IPV. Domestic violence not only a physical violence but also verbal, emotional, sexual, economic and others. A woman may face violence in any one, two or in combination of all of them. A woman may face this cycle of violence as a daughter, a sister, a wife, a mother, a partner, or a single woman in her lifetime. According to a report by the National Family Health Survey conducted in 2015-16, around 30% of women aged 15-49 reported experiencing physical, sexual, or emotional violence by their spouse or intimate partner.

Unfortunately, domestic violence cases are underreported across the world, especially in times of global emergencies like COVID-19. Domestic violence has profound and damaging effects on human dignity. Human dignity refers to the inherent value and worth that every individual possesses simply by being human. It encompasses a person's sense of self-respect, autonomy, and the right to be treated with fairness, respect, and without harm. Domestic violence directly contradicts and violates these principles, leading to a range of negative impacts on an individual's sense of dignity:

1. **Emotional and Psychological Impact:** Domestic violence can erode a woman's self-esteem and self-worth. The constant demeaning, belittling, and humiliation can make her feel powerless and dehumanized. This can lead to a loss of confidence and a diminished sense of her own dignity.
2. **Control and Autonomy:** Domestic violence often involves attempts to control and manipulate the victim's thoughts, actions, and decisions. This loss of control directly impacts her sense of dignity as a self-determining individual.
3. **Physical Harm and Fear:** The physical violence inflicted during domestic abuse not only causes physical pain and harm but also creates a climate of fear and threat. Living in fear for one's safety and well-being can significantly undermine a woman's sense of dignity, as she might constantly feel vulnerable and defenseless.
4. **Impact on Children:** If children are witnesses to domestic violence, it can affect their understanding of healthy relationships and perpetuate a cycle of abuse. This can contribute to feelings of shame and guilt for the woman, affecting her sense of dignity as a mother and protector.

3 Dowry-related Deaths and Harassment-Dowry-related deaths and harassment are serious social issues that have been prevalent in many cultures and societies, particularly

in South Asia and some parts of the Middle East. Dowry is a traditional practice where the family of the bride provides gifts, property, or money to the groom's family upon marriage. While the intent of dowry was often to help the newlywed couple set up their household, over time, it has become a source of contention and abuse. According to Indian national crime report India has the highest number of the dowry related death in the world, 8,233 dowry death cases were reported in 2012 in India . A dowry motivated killing in October 2012 that shocked the everyone was that of Pravartika Gupta, a 25 year old B.Tech graduate, who was burnt to death in her bedroom along with her 13 month old child. The young mother and child were killed by her husband and in-laws at their house in south Delhi. The woman's parents had agreed to pay Rs. 10,00,000 and a Honda City car for the husband's parents, and while they were struggling to make the payment, the husband's family had allegedly demanded the purchase of a flat for them(*Hindustan news 2012*)

Governments, NGOs, and activists have been working to combat these issues through legal measures, awareness campaigns, and social initiatives. Many countries have enacted laws to address dowry-related violence, such as India's Dowry Prohibition Act of 1961 and Section 498A and S. 304B of the Indian Penal Code help to address issues of dowry harassment and dowry-motivated murder respectively.

Dowry-related deaths and harassment have profound and devastating effects on human dignity, both at an individual and societal level. Human dignity refers to the inherent worth and value of every person, and when these acts occur, they directly violate this fundamental principle. Here are some of the ways in which these issues impact human dignity:

1. Violation of Basic Rights: Dowry-related deaths and harassment infringe upon the basic human rights of women. Every individual has the right to live a life free from violence, coercion, and discrimination.
2. Psychological Trauma: Victims of dowry-related deaths and harassment often suffer severe psychological trauma. The constant fear, threats, and abuse can lead to feelings of helplessness, shame, and degradation. This emotional turmoil profoundly affects their self-esteem and dignity.
3. Economic Exploitation: The commodification of women through dowry reinforces the idea that their value is linked to their material worth. This economic exploitation not only strips them of their dignity but also perpetuates harmful gender stereotypes.
4. Impact on Future Generations: The normalization of dowry-related violence and harassment perpetuates a cycle of abuse that can affect future generations. Children growing up in such environments may internalize these harmful behaviors and attitudes, perpetuating the violation of human dignity.

4 Human Trafficking-In recent years, human trafficking, particularly the trafficking of women and children, has become a significant social issue throughout the world. Although trafficking is predominantly a transnational organized crime, India and other South Asian nations are quickly evolving as sources, transit hubs, and destinations for traffickers. India serves as a source, a hub for travel, and a key final destination for women and girls who have been trafficked(*Gosh biswajeet et al; 2009*) Individuals susceptible to trafficking encompass women and girls residing apart from their families, those dwelling in conditions of rural poverty, slums, brothels, or on the streets. This also includes those who are physically or mentally challenged, individuals bearing the burden of social stigma due to past abuse, and those ensnared within contexts of ethnic and communal violence. Each year, countless women and girls fall victim to a range of exploitative practices: they are bought and sold, coerced, deceived, drugged, abducted, and defrauded. These victims are

forced to endure lives of exploitation, servitude, or conditions reminiscent of modern-day slavery. Disturbingly, explicit forms of violence, including rape, torture, unlawful deprivation of freedom, forced labor, and coerced marriage, are frequently inflicted upon girls who endeavor to assert their rights. Such brutalities represent a grave infringement on their dignity and autonomy.

5 Acid Attacks- Acid attack is gender based heinous crime in India. Acid attacks against cases are found in adolescent girls and young women. An acid attack involves the premeditated throwing of acid on a victim, usually on her face. The reasons behind acid attacks can vary widely, but they often stem from a combination of personal, social, and cultural factors. Some common reasons include:

1. Personal disputes, conflicts, and jealousy can lead individuals to commit acid attacks
2. Acid attacks may occur when someone's romantic advances or marriage proposals are rejected.
3. In some cases, acid attacks are carried out to "restore" family honor
4. Women are disproportionately targeted in acid attacks, often as a result of patriarchal attitudes and efforts to control and subjugate women.
5. Acid attacks can also be triggered by disputes over property, inheritance, or financial matters.
6. In some cases, acid attacks are perpetrated due to adherence to certain cultural, religious, or societal norms that sanction violence against individuals who challenge these norms.

Acid attacks inflict profound and enduring effects on human dignity, stripping victims of their intrinsic worth and undermining their sense of self. Acid attacks often result in severe disfigurement, leaving survivors with visible and often permanent scars. Victims of acid attacks commonly endure emotional trauma, including depression, anxiety, post-traumatic stress disorder, and a profound loss of self-esteem. The impact of an acid attack can extend to personal relationships, as survivors may feel unlovable or fear rejection by family, friends, and potential partners.

6 Female Foeticide- Female foeticide, often known as "foeticide," is the illegal termination of a female foetus in India. According to a Pew Research Centre study based on statistics from the Union government, between 2000 and 2019 there were at least 9 million females who committed foeticide. According to the study, Hindus (80% of the population) were responsible for 86.7% of these foeticides, followed by Sikhs (1% of the population) with 4.9% and Muslims (14% of the population) with 6.6%. The findings also showed a general fall in people's desire for boys throughout that time. Right from the 1990s, the technology development helped parents to identify their unborn baby's sex. Though it is an illegal practice, some doctors perform it illegally, violating their morals. Female foeticide profoundly undermines the essence of human dignity by perpetuating gender-based discrimination and violence. The deliberate termination of female fetuses not only perpetuates skewed gender ratios but also reflects societal biases against women.

Laws and Acts Related to Gender-Based Violence in India- In India, there are several laws and acts that address gender-based violence and provide legal frameworks for the protection of individuals against such acts. Some of the key laws and acts related to gender-based violence in India include:

1. Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013: This act mandates the establishment of Internal Complaints Committees (ICCs) in workplaces to address complaints of sexual harassment
2. Protection of Women from Domestic Violence Act, 2005: provide legal protection and remedies to women who are victims of domestic violence.
3. Dowry Prohibition Act, 1961: This act prohibits the giving or taking of dowry in connection with marriages.
4. The Criminal Law (Amendment) Act, 2013: Popularly known as the Nirbhaya Act, this amendment introduced changes to the Indian Penal Code (IPC) and the Code of Criminal Procedure (CrPC) to enhance the punishment for crimes against women, including rape and sexual assault. It also introduced new offenses, such as acid attacks and voyeurism.
5. Immoral Traffic (Prevention) Act, 1956: This is a key legislation dealing with the prevention of trafficking for commercial sexual exploitation. It criminalizes activities related to prostitution, including running brothels and living off the earnings of prostitution
6. Section 370 and 370A of the Indian Penal Code (IPC): These sections were introduced through an amendment in 2013 to specifically address trafficking in persons
7. Bonded Labor System (Abolition) Act, 1976: While not exclusively focused on human trafficking
8. Prohibition of Child Marriage Act, 2006: While primarily focused on preventing child marriages, this act indirectly addresses gender-based violence by protecting the rights of young girls and ensuring their physical and emotional well-being.
9. Juvenile Justice (Care and Protection of Children) Act, 2015: This act outlines the legal provisions for dealing with offenses committed against children, including girls, and emphasizes the importance of their protection and rehabilitation.
10. Protection of Children from Sexual Offences (POCSO) Act, 2012:
11. The PCPNDT Act (Pre-Conception and Pre-Natal Diagnostic Techniques Act) is an Indian legislation aimed at curbing female feticide and ensuring the dignity and rights of women.

Government policies for gender equality.- Government policies for gender equality bring about various benefits that contribute to a more inclusive and just society. Some policies are-

1. Equal pay act ensures that men and women receive equal pay for the same job.
2. Maternity and Paternity Leave: Provides both mothers and fathers with paid time off after the birth or adoption of a child.
3. Gender Quotas for Representation: Requires a certain percentage of women in decision-making bodies like parliaments and corporate boards.
4. Access to Education for Girls: Ensures that girls have equal access to quality education. Eliminates barriers like early marriage and cultural biases.
5. Financial Inclusion for Women: Provides access to financial services, credit, and resources for women entrepreneurs. Reduces economic disparities between men and women.
6. Legal Aid for Women: Offers legal assistance to women who face gender-based violence or discrimination. Ensures their rights are protected.
7. Domestic Violence Laws: Criminalizes domestic violence and offers support services for victims. Aims to reduce and prevent abuse within households

Conclusion- It may be concluded that gender based violence, in all its forms undermines the very essence of human dignity. In delving into the intricate relationship between gender-based violence and the preservation of human dignity, a somber reality emerges. Acts such as sexual assault, rape, human trafficking, acid attacks, and female feticide erode the very essence of human dignity, inflicting lasting scars on individuals and society. However, concerted efforts, including legal measures such as stringent laws and acts, like the PCPNDT Act, are pivotal steps towards rectifying

these grave injustices. By fostering awareness, fostering education, and fostering gender equality, we lay the foundation to restore dignity, empower survivors, and build a world where respect and equality flourish, ultimately striving towards a more just and humane existence.

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