



**Gender-based
Violence in India..
Indian Legal System**



Abused Goddesses Campaign captured India's most dangerous contradiction: that of revering women in religion and mythology even as the nation remained incredibly unsafe for its women citizens

In this land where non-violence has been preached as a way of life for thousands of year and where women have been worshipped in the image of Durga, Saraswati and Lakshmi, it is shocked to observe the brutal reality of women's existence.

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Interpretation of Religion ???

“Dhol, Ganwar, Shudra, Pashu our Nari,
Yeh sab **taadan** ke adikari”.

“Drums, Illiterates, Shudra, Animals the more you scold or
beat them the better they be”

“Taadna” means “to Introspect or Understand”

“Taadan” means “scold or beat”.

Gender-Based Violence – The Roots

- Violence against women is the manifestation of a historically unequal power relationship between men and women.
- It is a conditioned response and is not natural or born of biological determinism.
- Violence against women was a result of the prevalent atmosphere of ignorance, feudalism and patriarchy.
- Today violence against women is an uncontrollable phenomenon, which is a direct result of the rapid urbanization, industrialization and structural adjustment programmes which are changing the socio-economic scenario of our country.

Partiarcy pushed the Society

From “Swayamwaram”

To “Sathi”, “Dowry” and “Dowry Killings”

Help-Seeking from Different Sources (%)

	Some Violence	Severe Violence
Natal family	18.6	31.4
Husband's family	8.5	13.5
Acquaintance (Neighbour, Friend, Other person)	6.1	12.2
Neighbour	4.2	8.6
Friend	2.3	4.3
Other person	0.3	0.7
Authorities (police, religious leader, social service organisation, lawyer)	1	2.6
Police	0.6	1.5
Religious leader	0.3	0.7
Social service organisation	0.2	0.4
Lawyer	0.2	0.5
None	73.6	56.7

“Silence” as Response to Gender-Based Violence

- **The natal family’s willingness and ability to help varies greatly and is shaped by poverty, patriarchal norms, cultural legitimisation of violence and family structure.**
- **Many women did not think their families would be able to bear their “burden,” especially because typically they had children, and that stopped them from sharing their ordeal.**
- **This is often a pragmatic assessment, given the precarious economic and social existence of their natal families.**

Society's Response to Gender-based Violence

- It is not as if women who are being abused are always abandoned by their friends and neighbours.
- The spatial configurations of an urban informal settlement are such that a woman who is being physically abused publicly will be “rescued” – even if only temporarily – by her neighbours.
- This is not just because the community feels empathy for women, but also because violence of this nature is seen as a form of public nuisance and many families would prefer a peaceful neighbourhood.

Basis for Response to Gender-based Violence

- While some women drew on the idea of a “universal sisterhood” by identifying other women as sources of support, this was not the dominant discourse.
- Community support was predicated on often subjective and ad hoc assessments of whether the victim was “worthy” of support.
- The worthiness of a victim was contingent on whether she was a Good Mother, Good Sister, Good Wife and Good Daughter-in-law or a Good Woman Colleague.....

The Law and Legal System

- Progressive laws exist (e.g., Section 498(A) of the Indian Penal Code and Protection of Women from Domestic Violence Act (PWDVA)).
- But several men's rights groups and other organisations have called for their repeal.
- In July 2017, the Supreme Court passed a verdict banned immediate arrest unless “visible signs of injuries are present” in case of dowry harassment under Section 498A to prevent women from misusing this law.
- But.....there is little Empirical Evidence to suggest widespread misuse.



**Why
“Lady” Justice is
Blindfolded ?**

**To be
“Impartial”
“Objective”**

**A Gift of the Gods, Mark of Civilized Existence,
Right Custom, Proper Procedure, Social Order, Will
of the Gods as Revealed by Good Omen, Right.**

October, 2016

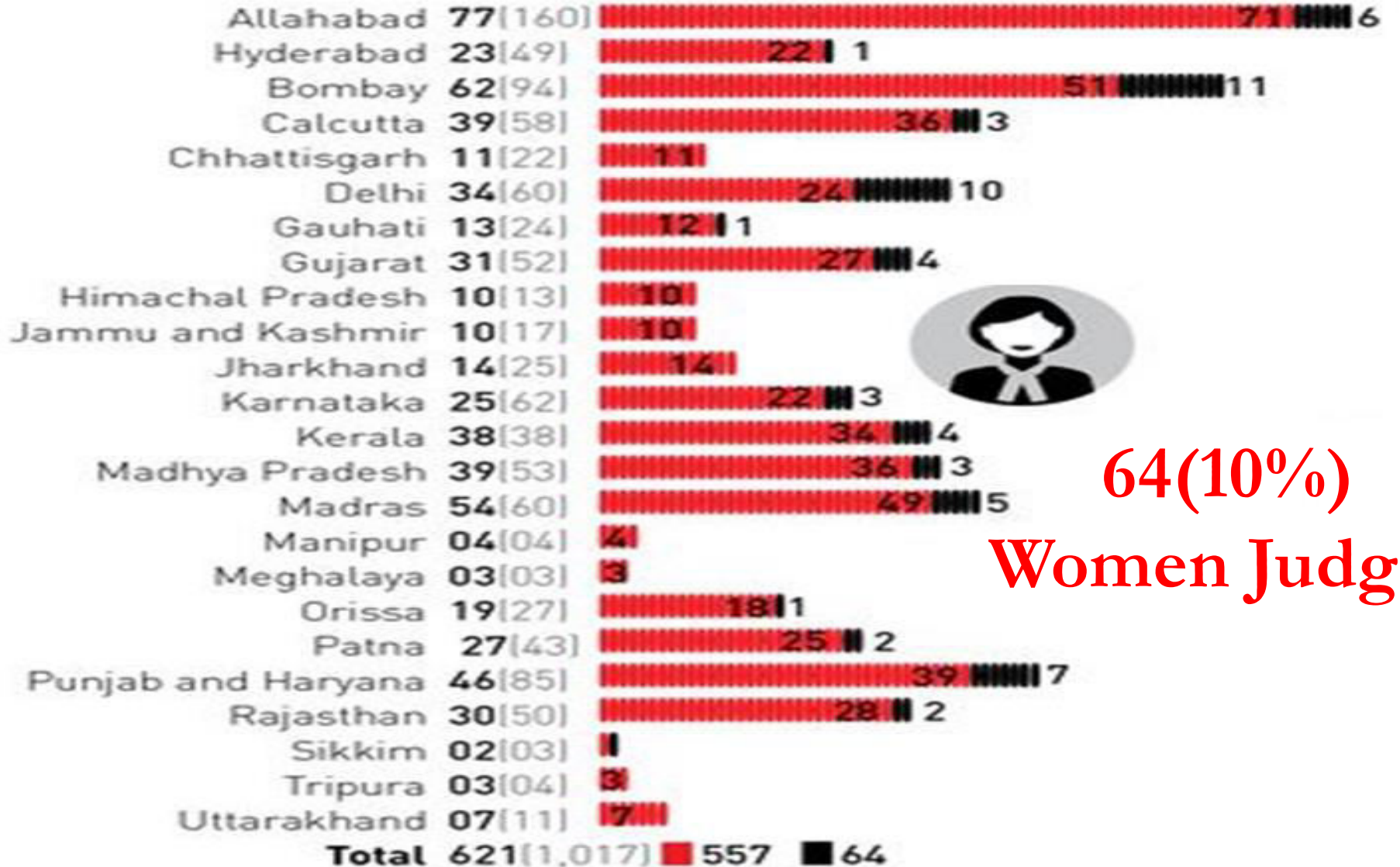


557 (90%)
Men Judges

JUDGES IN HIGH COURTS

TOTAL STRENGTH [sanctioned strength in brackets]

■ Male ■ Female



64(10%)
Women Judges

Statistics courtesy High Court websites, as on October 21





