

1.0 ABSTRACT:

A woman is a symbol of love and strength. In India, woman is considered as power. Men and women are born equal and they should be treated equally. Women in independent India are comparatively in a more respectable position. Indian women are also responding positively to this changed socio-political situation. This does not mean that our women are completely free from problems. But in reality women are helpless and become more victims. However, most commonly the victims are women. Especially in our country victimization means treating someone badly, because they have made or involved in a complaint of discrimination. The long term result of women victim is painful and very rigorous which affect the women victim and their family also. These crimes were happens both in public and private places. The Equality act 2010 provides protection for certain discrimination like harassment and victimization.

This research paper aims at presenting the status of women and how they are victimized in some situations. Violence can be classified into two types: a) violence against women with in the family b) violence against women outside the family. Some of the major problems haunting the modern women like domestic violence, age, dowry, acid attack, early marriages, rape and so on. The criminal law amendment act 1983 which seeks to stop various types of crimes against women. Various Amendments regarding the protection of women are: 1) The protection of women from sexual harassment at workplace act 2013, 2) The anti-rape criminal law (amendment) of IPC 2013, 3) The Dowry prohibition act 1961, 4) Child marriage restraint act 1978. Eventhough the government has taken several measures for welfare of women, still the women are being victimized. As a young blood of India we have to create awareness to the women from being victimized. The people in society can join together and need to work and reduce the victim blaming and it should also reduce the violence against women.

Keywords: Male chauvinism, Victimization, Abuse.

2.0 INTRODUCTION:

“There is no chance for the welfare of the world unless the condition of woman is improved. It is not possible for a bird to fly on only one wing.”

-Swami Vivekananda

In the ancient India, women held a high place of respect in the society .Women is a symbol of love knowledge, strength , sacrifice and purity .Later on because of social and political changes, women lost their status and were relegated in many ways .Nowadays women are facing many obstacles like rape ,eve-teasing ,sexual abuse ,emotional abuse ,kidnapping and other offences, in which women were victimized . Even the female child is also victimized .The consequences of victimization is painful and very rigorous which affect the victim and their family also .The reason behind the women victimization is that we are in male chauvinistic society. These crimes were happens regularly on both public and private places. Nowadays both the women and children are affected equally .It is important to note that attacks by intimates are more dangerous to women than attack by strangers. Women are likely to be killed by their own intimates .The government provides various measures to prevent the aggrieved women from being victimized. Thus in this paper we will see about the victimization of women, how the women were affected in some situation and some related cases.

3.0 STATEMENT OF PROBLEMS:

1. If women were victimized then what made them to face it?
2. Do our societies support gender bias?
3. Whether there is any law which prevents the women, if so does that really work or paper boons?

4.0 REVIEW OF LITERATURE:

- ❖ The article named “Sexual victimization and sexual behavior in children” given by William N. Friedrich in 21 June 2002. He made a research on sexually abused children regarding psychological changes and issues . He concluded that nowadays sexually abused children are greater than the non-abused children.

- ❖ The article named “On the overlap between victimization and offending” given by Wesley G.Jennings with others in 16 September 2011, says about the relationship between victimization and offending. He made a theoretical and empirical research on victimization and offending, for this research he took 37 studies over five decades. He analyzed victims through historical, contemporary and cross-cultural.
- ❖ K. Jai Shankar, Debarati Halder wrote a book on “Cybercrime and the victimization of women: law, rights and regulations” in 2012 says that nowadays women are well developed through internet and some other technologies, ordinary women and their supporters will gain a better understanding of cyber victimization.

5.0 OBJECTIVE OF THE STUDY:

- a) To analyze the nature of legal system of our nation which encourage gender equality rather than equity.
- b) To know the role of society in victimization of women.
- c) To analyze the status of victimized women and the changing dimension of legal system.
- d) To delegate the mannerism of society in gender

6.0 SIGNIFICANCE OF THE STUDY:

This study will enhance the minds of the people as well as the government to take accurate steps over the issue.

- a) To create awareness to the women from being victimized.
- b) To give consciousness about the child abuse.
- c) To know about the number of crimes against women.

Further, this study benefits the researchers as well as the legal practitioners to know the legal aspects in the issue override the women status.

7.0 RESULT OF THE STUDY:

STATUS OF WOMEN IN INDIAN SOCIETY:

The status of women has been subjected to many great changes in India. Some women have served as senior official authorities in the Indian government like the President of India, the speaker of the Lok Saba. Indian Government has provided many welfare schemes and a benefit for the women. Though the women in India has continues to face many difficulties. Even though we consider women as a symbol of love, women are victimized severely in some cases.

The women were victimized under gender, age, social status, marital status, race and ethnicity. In ancient day women were considered as the man's property for fulfilling their sexual satisfaction, for bearing children, taking care of their house and family members. But in modern period the status of women were changed and the participation of women in all fields are increased.

8.0 VICTIMIZATION AS IN ADVERSE EFFECT:

Victimization is not an act but a process of action and reaction in which the person becomes the primary definer. Where both actus reus and mens rea stands common without any gender bias then why not the acquisition stands on its line. It is important to note that attacks by intimates are more common to women than attack by stranger. Victimization is existed in ancient society as well however, with the advancement of the society the form of victimization has changed. Each of the victimization carries different consequences in the life of women.

Female offender is more likely to be victimized than the male offender. Women became victimized by men, society and even their own families. Women were victimized in the form of: rape, domestic violence, forced abortion, prostitution, early marriage, honor killing even by calling them as weaker sex.

9.0 GENDER EQUALITY AS A QUESTION:

Article 14 of the Indian constitution, says about equality:” The state shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

The principle of gender equality is enshrined in the Indian constitution in its Directive principle, Fundamental duties, Preamble and Fundamental rights. While the public policies and intervention of an overlook the stage of life, it is a critical time when values and norms around gender equality are forged. The equality to women grants by constitution, but also empowers the state to adopt measures of positive discrimination in favor of women for neutralizing the cumulative education, socio economic and political disadvantages faced by women. Though India may be democratic or republic but in practical it is male chauvinistic society. The customs and practices of our society are the barriers to the women.

10.0 HOW WOMEN ARE VICTIMIZED? :

a) Domestic violence:

We all know that family is often equated with place of love, peace and place where emotional needs get fulfilled. But it is also a place which bears some of the most fearful form of violence committed against women. The violence in the domestic setting is usually perpetrated by male in the form of fathers, fathers - in law, step fathers sometimes by women too in the form of mother in law, sister in law, step mother and so on. Domestic violence is in the form of physical assault or injury, psychological or emotional abuse, social abuse, financial abuse and sexual abuse. 90 % of the women represent adult victims. Every third woman, since the age of 15 facing domestic violence of various forms in the country, reported by the National Family Health Survey (NHFS-4) released by the Union health ministry.

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The court held that under section 17(1) of the act wife is only entitled to claim a right to residence in a shared household, and a 'shared household' would only mean the house belonging to or taken on rent by the husband, or the house which belongs to the joint family of which the husband is a member. In the case, the property in question neither belonged to the husband nor was a member. It was the exclusive property of mother of husband and not a shared household.

(1) AIR2007 (3) SCC 169

b) Age:

Children are facing a much victimization risk than do women .Now a days women are much safer than comparing to their future generation. Teens are spend greater time in the place like malls, local schools, parks, theaters so they are facing high risks. From the recent survey 54% of child are sexually harassed .Age was a significant predictor of victimization.

c) Female genital mutilation:

India's darkest secret is female genital mutilation ,which means non-medical practice that removes female genital organs .It is being practiced everywhere in the world even female children of five years is being victimized .It is nonmedical and zero health benefit .It causes i) severe bleeding ii) complications in child birth iii) problems urinating .

d) Dowry death:

Dowry death is a murder or suicide of a married women in dispute about their dowry. Dowry was a type of harassment to women by her husband and his family. Dowry were prohibited under dowry prohibited act 1961, but it is still practiced by giving expensive gifts to the groom and his relatives by the bride family. Sec 304 B of IPC deals with dowry death which says that whoever commits dowry death shall be punished with imprisonment for not less than seven years which may extend to life imprisonment .According to recent survey in 2018, still 5000 dowry deaths are recorded each year. Dowry death have decreased 4.5% from 2011 to 2012.

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The petitioner were charged and found guilty of dowry death. The court upheld the conviction, holding that the evidence of cruelty necessary to create a presumption of dowry death may be less than or different from the level of evidence of cruelty necessary to uphold a charge of criminal cruelty .The two crimes are unrelated, despite using similar wordings and a person may be convicted of dowry death without having committed criminal cruelty.

e) Acid attack:

Acid attacks are happened in case of ruining a women career and her future prospect. The acid attack perpetrators usually throw acid at their victim faces, burning and damaging skin tissues. Globally 80% of the victims in acid attack are women and girls. The intention of acid attacks is to disfigure rather than kill their victims. Section 326 A and 326 B of Indian Penal Code 1860 deals with voluntarily causing grievous hurt by use of acid, etc. and voluntarily throwing or attempting to throw acid. Whoever commit grievous hurt by use of acid under section 326 A shall be punished with imprisonment of either description shall not be less than ten years which may extend to imprisonment for life and with fine .whoever attempt to throw acid shall be punishable under section 326 B with imprisonment shall not be less than five years but which may extend to seven years and shall also be liable to fine .The fine amount shall be paid to the victim for their treatment.

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Acid was poured on a women by her husband for refusing to grant him a divorce .Thehusband was involved in an extra-marital affairs .Due to the attack, the victim suffered multiple acid burns on her face and other parts of the body leading to her death .The accused was charged and convicted under 302 of IPC .However, imprisonment for life was not imposed even though the victim had died.

f) Early marriage:

Girls who marry before 15 are faced physical and sexual harassment from their husband .child marriage involves both psychological and sexual violence. The child can get marryby the compulsion of their family, even though the girl child only became victimized.

g) Rape:

In India rape is the fourth most common crimes against women (1). Now a day's rape remains greater unknown and unaddressed. Whereas the law was against rape but men are continued their rigorous behavior against women and even against children .Rape were done even

in the colleges and schools campus also .Recently many child right from 10 months are being raped .For this offence women are victimized. “THE HINDU” NEWSPAPER dated 23 October 2019 says about the students view about the reason for rape in different manner .Section 375 of Indian Penal Code 1860 deals with rape .whoever commit rape shall be punished under section 376 of Indian Penal Code 1860 with imprisonment shall not be less than ten years, but which may extend to life imprisonment and shall also be liable to fine. Many rape cases are unreported. According to the recent survey 91.6% of rape cases are unreported. In 65 countries more than 250000 cases about rape are reported by police annually.

In **Nirbhaya case**⁴ also known as Delhi Gang Rape case a medical student on 16.12.2012 raped by 6 persons under the effect of alcohol in a bus in the presence of her male friend during busy traffic hours around 9:30 p.m., for an extended period of more than 1 hour in the national capital region.

11.0 GOVERNMENT MEASURES:

The government has taken great and strong measures to prevent the aggrieved women from being victimized.

- ❖ Protection of Women from Domestic Violence Act, 2005 : The Act provide for the first time in Indian law a definition of domestic violence ,with this definition being broad and including not only physical violence ,but also other forms of violence such as emotional/verbal ,sexual and economic abuse.
- ❖ Dowry Prohibition Act, 1961: Under the provisions of this act demand of dowry either before marriage, during marriage and or after marriage is an offence.

(4)Kumar Radha (2003) [1993] “The agitation against rape”.

- ❖ The Sexual harassment of Women at Workplace (prevention , Prohibition and Redressal)Act , 2013 : This Act introduced in pursuance of Vishaka guidelines given by supreme court.(VISHAKA AND OTHERS V. STATE OF RAJASTHAN 1997)
- ❖ The Prohibition of Child Marriage Act, 2006: This Act raises the age of a girl from 15 years to 18 years and that of a boy to 21 years.
- ❖ Indian Penal Code, Section 354 and 509 safeguards the interest of women.

12.0 SCHEMES:

- One Stop Centre -SAKHI: It provide an integrated range of services to women affected by violence.
- 181 -Women Help Line: Immediate and 24hours emergency response to women affected by violence across the country through universal 181 number.
- NIRBHAYA FUND: Districts can put up proposals through concerned departments of State Governments for innovative projects on safety and security of women under Nirbhaya fund.
- Citizen support: Panic buttons, grievance redressal, anti-trolling response, NARI portal.
- Cyber security: Cybercrime is a rising concern, especially for women and children.
- MAHILA SHAKTHI KENDRA(MSK): New scheme announced in the finance ministers budget speech of 2017-2018.Aim is to provide one stop convergent support services to empower rural women with opportunities for skill development , employment, digital literacy, health and nutrition.

13.0 SUGGESTION:

Suggestions are proposed to bring about changes in the policies, procedures and practices of entire socio-legal system .The basic objectives of the study are to impart needed service for the women victims. Women victimization and the importance of women must be taught in the educational institutions as well as to general public in understandable manner and the government has to take necessary steps to protect women. Our government has to take various steps to make the women free from victimization .In one hand the government has to implement properly and in

the other hand to make use the measures in a proper way. The court dealing either rape cases should be sensitive towards the condition of rape victims. They should award punishments to rapists with great seriousness towards women condition in the Indian society.

14.0 CONCLUSION:

"If all men are born free, how is it that all women are born slaves?"

-Mary Astel

For women and girls, the experience of violent victimization often involves attack by an intimate partner, relative and it is also likely to occur in and around the home. When gender equality decreases, women may experience a backlash of violence by males who resist the change. However over time, decreased gender inequality typically translates into decreased violence against women.

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