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Discrimination against Women is in Our Minds: A Legal Analysis

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ABSTRACT

Gender biases had been the typical attitude of the patriarchal Indian society since time immemorial. The Vedas contained passages which emphasized the necessity of a son. 'May you be the mother of a hundred sons has always been a popular blessing by elders to young brides. It is indeed an undeniable fact that despite differences in social and intellectual status, almost all the sections of society do stand on the same platform so far as their craving for a male child is concerned. On the other hand, daughters are unwanted, they are considered burdensome and people who do not dare to carry this 'burden' for long dispose of them as quickly as possible, for in Incredible India, 'killing of the girl child is no sin.' Attitude has to change drastically against women in order to ensure that no violence against them takes place. They have to be treated with equality and respect. The laws have to be implemented effectively and stringent action should be taken against violators or perpetrators of violence against women. The education of women is the foremost priority of today's parents. By educating women we help families and not only women. A two-pronged strategy can be adopted. First, men have to change their attitudes so that women have enough space to develop themselves. Secondly, women themselves have to unite and spread consciousness which will help in real social development.

Keywords: Women, Biasness, gender, Violence, Status.

I. INTRODUCTION

India is a country of incredible ironies. It is a land where people worship myriad forms of female Shakti in quest of wealth, wisdom and power. In this country, it is a common sight to see thousands of couples making arduous journeys every year to shrines of goddesses in order to be blessed with a child. But strangely enough, in this country, a couple is said to be 'blessed' only when it has a male child; for a girl is never considered a blessing in our society. Her birth seems to cast a pall of gloom over the entire family. Her birth does not rejoice, instead, the entire family moans.

Gender biases had been the typical attitude of the patriarchal Indian society since time

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immemorial². The Vedas contained passages which emphasized the necessity of a son. 'May you be the mother of a hundred sons has always been a popular blessing by elders to young brides. It is indeed an undeniable fact that despite differences in social and intellectual status, almost all the sections of society do stand on the same platform so far as their craving for a male child is concerned. On the other hand, daughters are unwanted, they are considered burdensome and people who do not dare to carry this 'burden' for long dispose of them as quickly as possible, for in Incredible India, 'killing of the girl child is no sin.'

If we look back historically, the status of women during the Veda period was good. They were equal to men and had high esteem in society. But subsequently, their position in society deteriorated. They began to be treated like animals, often beaten by husbands. Women were deprived of getting an education. Their activities were limited to household chores and help in reproduction. A girl child born was considered to be a curse in society. The husband was their *Parneswar*. They had no independent existence. Their existence lay in association with men as a wife, sisters or mothers. She was thought to be a burden as dowry was to be given. The Dowry system is still rampant in our society³. Widows were looked down upon. The system of sati was prevalent which even snatched the right to live. They had to die with their husbands on the funeral pyre. Crime against women has been on increase. It has existed in the past in almost all countries, regions, cultures and communities. The crime has much to do with the existing low status of women prevalent in our society. The violence is at various levels. It is physical, mental, emotional, domestic and public⁴. They are the most oppressed, subjugated section of society. Though various measures at education and economic independence have been taken they are far from improving their status which directly or indirectly helps at increasing crime against women⁵.

The range of crimes against women is very wide including rape, wife-beating, bride burning, child marriages, prostitution, sexual harassment, etc. Nowadays the girl child is killed even before birth. This has become easy due to improvements in science and technology, e.g., amniocentesis, i.e., sex determination tests. Discrimination towards the development of girl children is the greatest crime against women. They are deprived of basic educational opportunities essential for the development of children. Neglect of proper nutritious food to them is quite evident. Even pregnant women do not get a balanced diet which has a vital effect

² Alam Aftab, "*Human Rights in India: Issue and Challenges*", Raj Publications, Delhi, p.96

³ Gowri R. Geetha, "*Elderly Women: A Study of the Unorganized Sector*", Dictionary Publishing House, New Delhi, 2003, p.94.

⁴ Gill K., "*Hindu Women's Right to Property in India*", Deep and Deep Publications, New Delhi, 1986, p.175

⁵ <http://www.com/article/129-> <http://lawtimesjournal.in/women/voilence.html>, last visited on 18/02/2020; at 8:00 am.

on offspring and leads to a rise in infant mortality rates. Our society has become violent today. On the slightest pretext violence takes place. This is due to increasing lawlessness and formlessness in our society⁶. Our value system has gone under actuate perversions. Here, again women are the worst sufferers. For increasing violence men are to be blamed. They have become corrupt. People want to become rich by employing any means. Women are denied a share in the property. They cannot own property. At the slightest resistance, they are beaten badly. The property again plays a greater role in dowry. Grooms expect much from brides in the form of dowry. If they do not bring an adequate dowry, they are ill-treated by the family members, especially the mother-in-law⁷. The situation becomes pathetic when women do not help the other women in improving each other's condition. Instead, they are treated badly. With the spreading educational consciousness among women, some advancements can be seen in their educational achievement and economic independence. Women can compete with men in every profession. But this has added some problems for working women. They are expected to do the household chores once they return from the office. Tension and ego clashes are frequently evident which is not healthy for a man-woman relationship⁸.

Violence against women exists in various forms in all societies the world over. However, the recognition that the elimination of gender-based violence is central to equality, development and peace, is recent. In India, the landmark report on the 'Status of Women-1975' did not deal with this issue. Then in the late seventies and eighties, the Indian women's movement focused on issues of dowry deaths, female feticide, sati, rape and other forms of violence. More recently, international conferences such as Vienna-1993, Cairo-1994, Copenhagen 1995 and Beijing-1995 explicitly highlighted this problem. The World Health Assembly in 1996 endorsed that violence against women is a public health problem. In 1998, the 50th anniversary of the 'Declaration of human rights was celebrated by the UN with a global campaign for the elimination of gender-based violence. The objective was to influence public opinion and attitudes, policies, practices and legislation to facilitate a violence-free life for women.

Attitude has to change drastically against women to ensure that no violence against them takes place⁹. They have to be treated with equality and respect. The laws have to be implemented effectively and stringent action should be taken against violators or perpetrators of violence against women. The education of women is the foremost priority of today's parents. By

⁶ Agrawal H.O., "*International Law and Human Rights*", Central Law Publications, Allahabad, 2003, p.84

⁷ Gill K., "*Hindu Women's Right to Property in India*", Deep and Deep Publications, New Delhi, 1986, p.672

⁸ Diwan Paras, "*Modern Hindu Law*", Allahabad Law Agency, 2000, p.386

⁹ Dr. M. Saud Alam Qasmi, "*Human Rights in Islam*", Aligarh Muslim University Aligarh Publication, First edition, 2005, p.935

educating women we help families and not only women. Two-pronged strategies can be adopted. First, men have to change their attitudes so that women have enough space to develop themselves. Secondly, women themselves have to unite and spread consciousness which will help in real social development¹⁰. Then only we will be in a position to eradicate the social ills prevalent in our society. We should provide conditions to make them 'better half' which can help effectively to solve the problem of violence against women.

II. OBJECTIVES TO PROTECT THE WOMEN

The goal of these policies is to bring about the advancement, development and empowerment of women. The Policy will be widely disseminated to encourage the active participation of all stakeholders in achieving its goals. Specifically, the objectives of these Policies include

- Creating an environment through positive economic and social policies for the full development of women to enable them to realize their full potential
- The *de-jure* and *de-facto* enjoyment of all human rights and fundamental freedom by women on an equal basis with men in all spheres – political, economic, social, cultural and civil¹¹
- Equal access to participation and decision-making of women in the social, political and economic life of the nation
- Equal access to women to health care, quality education at all levels, career and vocational guidance, employment, equal remuneration, occupational health and safety, social security and public office etc.
- Strengthening legal systems aimed at eliminating all forms of discrimination against women
- Changing societal attitudes and community practices by active participation and involvement of both men and women.
- Mainstreaming a gender perspective in the development process.
- Elimination of discrimination and all forms of violence against women and the girl child.
- Building and strengthening partnerships with civil society, particularly women's organizations.

¹⁰ John M. Macdonald M.D., "Rape : Offenders and their Victims", Charles C. Thomas Publisher, Springfield, USA, 1971, p.93

¹¹ <http://www.com/article/129-> <http://lawtimesjournal.in/women/injury.html>, last visited on 18/02/2020; at 8:00 am.

- Undertake, generate and promote primary and applied research regarding women and development.
- Advance the idea of women as active participants in politics and national development¹².
- Promote and collaborate with academic institutions, grass-roots organizations as well as individuals engaged in research, advocacy and related activities.
- Provide advisory and consultancy services on gender issues to institutions and organizations within and outside government, including development agencies.
- Organize and assist training programs for scholars, planners, administrators, development practitioners, members of women's organizations and/or cooperatives and civil society members.
- Undertake activities to facilitate social transformation for the full and effective participation of women at all levels of society.

III. REASONS FOR CRIME AGAINST WOMEN

Women are considered a weaker section. That is why all sorts of violence are perpetrated on them. They become the easiest target and victim during conflicting situations between two groups or communities. They are unable to resist the injustices due to weaker positions. It becomes their habit to suffer silently at home and outside. Rape or sexual harassment takes the form of teaching a lesson to hostile groups. During communal riots or caste riots, women become the first and easiest targets. Sometimes teasing or harassing women becomes the instigating point for two hostile groups to fight to lead to violence¹³.

The causes for increasing crime against women can be attributed to the low status of women in our society. The attitudes towards women have not changed much. They are treated as burdens and hence denied education. As per the 1991 Census, the literacy rate of women is 39% as against 63% of men. The situation is alarming among the lower castes women on the literacy front. It is much lower than even 39% in some states. The sex ratio declined from 933 in 1981 to 929 in 1991, i.e., the number of girl children born has declined which is a sad state of affairs. Women are considered commodities. They are treated as properties. They are taken

¹² <http://www.com/article/33- http://lawtimesjournal.in/women/voilence.html>, last visited on 20/03/2020; at 4:30 pm.

¹³ <http://www.com/article/137- http://lawtimesjournal.in/women/rape/pregnancyhtml>, last visited on 9/03/2020; at 4:00 pm.

for granted. Efforts have been made to make the women dependent¹⁴. They are still not economically independent which has made the conditions worse for them.

It has been widely accepted nowadays that girls are emotionally more attached to parents, more responsible in society and by no means less competent than boys. However withstanding all this, the typical orthodox Indian attitude accompanied by several socio-economic-cultural factors pervading the society has always upheld the need for a male child and disfavoured the birth of a girl child in the family¹⁵. This has immensely contributed to the rampant growth of female foeticide in the country, thus making India one of the worst nations in the world plagued with a skewed sex ratio. The most prominent factors encouraging crime against women in India are listed below:

Religious factors: The Hindu religion lays great stress on the birth of a son. In Hindu patriarchal society, it is the son who continues the family lineage or 'Vansh'. According to Manu, a man cannot attain moksha unless he has a son to light his funeral pyre¹⁶. Also, it says a woman who gives birth to only daughters may be left in the eleventh year of marriage. Such gender-biased customs and practices in the traditional Hindu society have over-emphasized the birth of sons and discouraged the birth of a girl child in the family, thus paving the way for Female Foeticide.

The evil of Dowry: Dowry is essentially one of the factors which have encouraged the practice of Female Foeticide to a great extent. Parents find it a better option to avoid the female foetuses itself than to pay exorbitant rates in the form of 'dowry' while marrying off their daughters. Hence to escape from dowry people desperately go for sex selection tests and eliminate the female foetus. To most couples, especially the middle-class ones, it appears that *'paying Rs. 500 at present is better than to pay Rs.5, 00,000 in future'*. Conversely, the boy has viewed as an asset to fetch fabulous dowry for the parents. Hence boys are naturally preferred to girls.

Financial Dependence of Females: In India, the socio-economic background has also been the villain behind the tragic female foeticide. Certain communities want to get rid of female children compelled by the circumstances of dehumanizing poverty, unemployment, superstition and illiteracy. Some men just cannot see women doing well while they are unemployed or underemployed. They find such women to be the cause of their failures; they nurture a grudge against them and commit crimes against them to take out their frustration.

¹⁴ John M. Macdonald M.D., "Rape: Offenders and their Victims", Charles C. Thomas Publisher, Springfield, USA, 1971, p.276

¹⁵ Gowri R. Geetha, "Elderly Women: A Study of the Unorganized Sector", Dictionary Publishing House, New Delhi, 2003, p.92

¹⁶ Kaushik Saumya, *Women Welfare : "Some New Dimensions"*, Sarup & Sons, New Delhi, 2003, p.491

There are cases where husbands have not even left their wives to vent out their frustration, ignoring the fact that she is supporting the whole family by her earnings. Sitting at home without a job, they imagine the wife insulting them or looking down upon them because they are dependent upon her. They imagine her enjoying herself with other men at their place of work. Unemployed men have been found beating their wives on very trivial domestic issues.

Status of women: It is generally expected that sons would carry the family lineage forward, provide security and care to parents, especially in old age, enhance family wealth and property and perform the last rites and rituals. Whereas daughters would go to another's house draining out all the family wealth. Moreover, they always need to be protected, defended and taken care of, thus imposing an extra burden on the family. Such a conservative attitude of the Indian society which essentially regards women as a 'burden' is one of the most potent factors which has induced strong son preference and hence encouraged Female Foeticide¹⁷. All these factors point out that the ever receiver-existing biases in our country favouring the male and the stereotype notion of women as 'burdens' is the primary cause acting behind the shocking statistics of Female Foeticide in India.

The Personal Causes: Compared with male offenders, female offenders are on a low level of education. A lot of female offenders are illiterate or semi-literate. They haven't social knowledge and experience, and their survival skills are poor. They lack analytical skills in dealing with problems, and they are not sensible to deal with things. When they are instigated or enticed by others, they are easy to be coerced or deceived, going astray, and beginning their life of crime. Because of the low level of education, their legal awareness is relatively weak. When they have been violated by unlawful infringements, they can not look at and solve the problems from a legal perspective, but take extreme and violent and lawless ways to solve the problems. For example, some women themselves are victims of domestic violence, but they do not know how to use the law to protect them. They fight violence with violence, and when they cannot endure domestic violence, they will kill the perpetrators. And there will be perpetrators. In addition, psychological factors such as vanity, unrealistically comparing, hedonism, narrow-minded, vindictive and so on also contributes to an important cause of female crime.

Gender-Based Violence: there are various forms of violence against women, including physical, sexual and psychological violence perpetrated by the State, perpetrated in communities, and families¹⁸. Across all settings, gender-based violence includes gender-based

¹⁷ <http://www.com/article/71- http://lawtimesjournal.in/women/infanticide.html>, last visited on 14/03/2020; at 9:00 am.

¹⁸ Gowri R. Geetha, "Elderly Women: A Study of the Unorganized Sector", Dictionary Publishing House, New

killings; rape and sexual violence; forced marriage - which includes child marriage of children under 18; sexual harassment in workplaces, schools, and public places; female genital mutilation and other harmful practices; trafficking and online violence against women; economic violence, including dowry abuse; as well as psychological abuse. Women and girls who are further marginalized because of other aspects of their identity - for example, living with a disability or being lesbian, bisexual or transgender women and girls - are more likely to be targeted by the perpetrator.¹⁹

While these forms of violence are diverse, they are also inter-related. For example, child marriage, a practice which takes place in all regions of the world, is correlated with increased levels of domestic violence, including rape within marriage. The life-cycle approach sheds further light on the diverse forms of gender-based violence, by identifying that perpetrators target girls and women at various ages for various kinds of violence²⁰.

A lack of public safety: Women generally aren't protected outside their homes. The gang rape occurred on a bus, and even Indian authorities say that the country's public places can be unsafe for women. Many streets are poorly lit, and there's a lack of women's toilets, a Women and Child Development Ministry report said recently. Women who drink, smoke or go to pubs are widely seen in Indian society as morally loose, and village clan councils have blamed a rise in women talking on cell phones and going to the bazaar for an increase in the incidence of rape.

Encouraging rape victims to compromise: In a recent separate rape case, a 17-year-old Indian girl who was allegedly gang-raped killed herself after police pressured her to drop the case and marry one of her attackers. Rape victims are often encouraged by village elders and clan councils to "compromise" with the family of the accused and drop charges -- or even to marry the attacker. Such compromises are aimed at keeping the peace between families or clan groups. What's more, a girl's eventual prospects of marriage are thought to be more important than bringing a rapist to justice.

Alcoholism: has become one of the main causes of crimes against women. This evil is increasing in a society rapidly. The evil effects of alcohol result in heavy damage to the mind and the body and result in susceptibility to crimes. Excessive drinking becomes the cause of starvation for the family members' assault and quarrels between husband and wife, between father and child, desertion, beating, cruelty, etc. Habitual drunkards have even molested their

Delhi, 2003, p.687

¹⁹ Kaushik Saumya, *Women Welfare : "Some New Dimensions"*, Sarup & Sons, New Delhi, 2003, p.199

²⁰ <http://www.com/article/71- http://lawtimesjournal.in/women/infanticide.html>, last visited on 14/03/2020; at 9:00 am.

daughters in a state of emotional excitement; when the normal restraints of a person disappear under the influence of drugs or drinks and their hostile and aggressive fantasies, intimately intermingled with sexual lust, are converted into irresponsible action. Alcohol-related crimes illustrate a reckless disregard for time, space and circumstances.

Marital Maladjustment: A large number of crimes against women are the cause of this factor. The adjustment of the girl with comes to the family of their in-laws, their working and the enlightened one is very difficult. Mothers-in-law who have total control over the family members became jealous and frustrated at the independence of their daughter-in-law²¹. Indian husbands give more importance to their mothers briefing them about the wife's protests. Temperamental maladjustment and incompatibility in ways of thinking, working, dressing up and behaving go a long way in making. The husband reacts by neglecting the wife or picking up quarrels or trivial issues. Sometimes he even deserts his wife or starts going to prostitutes for satisfying his desires.

Attitudes and Gender Schemas: Cultural myths about violence, gender scripts and roles, sexual scripts and roles, and male entitlements are represented at the individual level as attitudes and gender schemas. These hypothetical entities are expectancies that give meaning to and may even bias the interpretation of ongoing experience, as well as provide a structure for the range of possible responses. Acceptance of beliefs that have been shown to foster rape has been demonstrated among a variety of Americans, including typical citizens, police officers, and judges²². Once a violence-supportive schema about women has developed, men are more likely to misinterpret ambiguous evidence as confirming their beliefs. Sexually aggressive men more strongly endorse a set of attitudes that are supportive of rape than do nonaggressive men, including myths about rape and the use of interpersonal violence as a strategy for resolving conflict. Beliefs and myths about rape may serve as rationalizations for those who commit violent acts. For example, incarcerated rapists often rationalize that their victim either desired or deserved to experience forced sexual acts. Similarly, culturally sanctioned beliefs about the rights and privileges of husbands have historically legitimized a man's domination over his wife and warranted his use of violence to control her²³. Men, in general, are more accepting of men abusing women, and the most culturally traditional men are the most accepting²⁴.

²¹ [http://www.com/article/71- http://lawtimesjournal.in/women/infanticide.html](http://www.com/article/71-http://lawtimesjournal.in/women/infanticide.html), last visited on 14/03/2020; at 9:00 am.

²² Mehta R., *"The Western Educated Hindu Women"*, Asia Publishing House, Bombay, 1970, p.93

²³ Gill K., *"Hindu Women's Right to Property in India"*, Deep and Deep Publications, New Delhi, 1986, p.93

²⁴ [http://www.com/article/71- http://lawtimesjournal.in/women/infanticide.html](http://www.com/article/71-http://lawtimesjournal.in/women/infanticide.html), last visited on 14/03/2020; at

Sex and Power Motives: Violence against women is widely believed to be motivated by the need to dominate women. This view conjures the image of a powerful man who uses violence against women as a tool to maintain his superiority, but research suggests that the relationship is more complex. Power and control frequently underlie intimate partner violence, but the purpose of the violence may also be in response to a man's feelings of powerlessness and inability to accept rejection²⁵. It also has been argued that rape, in particular, represents the fulfilment of sexual needs through violence, but research has found that motives of power and anger are more prominent in the rationalizations for sexual aggression than sexual desire. Attempts to resolve the debate about sex versus power have involved laboratory studies of men's sexual arousal to stimuli of depictions of pure violence, pure consensual sex, and nonconsensual sex plus violence. These studies have consistently shown that some "normal" males with no known history of rape may be aroused by rape stimuli involving adult women, especially if the women are portrayed as enjoying the experience. However, sexually aggressive men appear to be more sexual arousal in general, either to consenting or rape and rapists respond more than non-sexual offenders to rape cues than to consenting sex cues. Sexually aggressive men openly admit that their sexual fantasies are dominated by aggressive and sadistic material.

Social Learning: Social learning theory posits that humans learn social behaviour by observing others' behaviour and the consequences of that behaviour, forming ideas about what behaviours are appropriate, trying those behaviours, and continuing them if the results are positive. This theory does not view aggression as inevitable but rather sees it as a social behaviour that is learned and shaped by its consequences, continuing if it is reinforced. From this perspective, male violence against women endures in human societies because it is modelled both in individual families and in society more generally and has positive results: it releases tension, leaves the perpetrator feeling better, and often achieves its ends by cutting off arguments, and is rarely associated with serious punishment for the perpetrator.

Honour killing: Honour killings are often a result of strongly misogynistic views towards women, and the position of women in society. In these traditionally male-dominated societies, women are dependent first on their fathers and then on their husbands, whom they are expected to obey²⁶. Women are viewed as property and not as individuals with their agency. As such, they must submit to male authority figures in the family failed to do so can result in extreme

9:00 am.

²⁵ Gowri R. Geetha, "Elderly Women: A Study of the Unorganized Sector", Dictionary Publishing House, New Delhi, 2003, p.35

²⁶ Kaushik Saumya, *Women Welfare : "Some New Dimensions"*, Sarup & Sons, New Delhi, 2003, p.475

violence as punishment²⁷. Violence is seen as a way of ensuring compliance and preventing rebellion²⁸. The owner of the property has the right to decide its fate. The concept of ownership has turned women into a commodity which can be exchanged, bought and sold". In such cultures, women are not allowed to take control of their bodies and sexuality²⁹. These are the property of the males of the family, the father who must ensure virginity until marriage; and then the husband to whom his wife's sexuality is subordinated. A woman must not undermine the ownership rights of her guardian by engaging in premarital sex or adultery.

Early Marriage: Married teenage girls with low levels of education suffer a greater risk of social isolation and domestic violence than more educated women who marry as adults. Following marriage, girls frequently relocate to their husband's home and take on the domestic role of being a wife, which often involves relocating to another village or area. This transition may result in a young girl dropping out of school, moving away from her family and friends, and a loss of the social support that she once had. A husband's family may also have higher expectations for the girl's submissiveness to her husband and his family because of her youth. This sense of isolation from a support system can have severe mental health implications including depression.

Large age gaps between the child and her spouse make her more vulnerable to domestic violence and marital rape. Girls who marry as children face severe and life-threatening marital violence at higher rates. Husbands in child marriages are often more than ten years older than their wives³⁰. This can increase the power and control a husband has over his wife and contribute to the prevalence of spousal violence. Early marriage places young girls in a vulnerable situation of being completely dependent on their husbands. Domestic and sexual violence from their husbands has lifelong, devastating mental health consequences for young girls because they are at a formative stage of psychological development. These mental health consequences of spousal violence can include depression and suicidal thoughts. Child brides, particularly in situations such as vain, also face social isolation, emotional abuse and discrimination in the homes of their husbands and in-laws.

Acceptance of domestic violence: The Reuters Trust Law group named India one of the worst countries in the world for women this year, in part because domestic violence there is often seen as deserved. A 2012 report by UNICEF found that 57 per cent of Indian boys and 53

²⁷ Mehta R., *"The Western Educated Hindu Women"*, Asia Publishing House, Bombay, 1970, p.891

²⁸ Gonsalves Lena, *"Women and Human Rights"*, APH Publishing Corp.. Delhi, 2001, p.238

²⁹ Kaushik Saumya, *Women Welfare : "Some New Dimensions"*, Sarup & Sons, New Delhi, 2003, p. 84

³⁰ Gill K., *"Hindu Women's Right to Property in India"*, Deep and Deep Publications, New Delhi, 1986, p.561

percent of girls between the ages of 15 and 19 think wife-beating is justified³¹. A recent national family-health survey also reported that a sizable percentage of women blame themselves for beatings by their husbands.

Painful crime reporting: Improving the reporting of report crimes is a big step forward in fighting violence against women in India³². When a few brave hearts seek to take that step while fighting social sanctions of various kinds, the next difficulty that they face is that of dealing with the insensitivity of the authorities.

Honour Killing: In rural spaces, crimes against women are normalized to a greater extent than in urban spaces. “Family honour”, “clan or community honour”, and “caste honour” sometimes serve as related factors and variables guiding the politics behind choosing targets even as women in general suffer. Lower-class women, Dalit women, and tribal women are the ones who not only suffer such abuses to a greater extent because of these factors but also are more oppressed in terms of exposure to the probability of seeking justice. Village units are given a certain degree of autonomy as per the law of the land, to carry on life as per their customary laws. This leads to a lack of uniform laws to rein in violent and aggressive customary practices which vary across regions. Crime reporting is thus not very popular a measure in the hinterlands as a response to empowering women³³.

Patriarchal Society: it 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, the risk for violence is high.

IV. CONCLUSION

Women in modern India have faced violence in their household, place of work and society on a larger scale. However, as far as the law of land goes women have been given equal rights to a man but the implementation of these is lacking on part of the government level. The government's organs i.e. the legislature, the executive, and the judiciary lacked intent in the past to curb the violence against women due to a patriarchal mindset. Because the people who make these laws or implement these laws come from the same society which gives the women secondary status, but due to the awareness about their rights and their long battle for equal status now the women getting recognition in society worldwide.

³¹ Mehta R., “*The Western Educated Hindu Women*”, Asia Publishing House, Bombay, 1970, p.421

³² Gonsalves Lena, “*Women and Human Rights*”, APH Publishing Corp.. Delhi, 2001, p.213

³³ <http://www.com/article/71-> <http://lawtimesjournal.in/women/infanticide.html>, last visited on 14/03/2020; at 9:00 am.

In India, women are termed worse than cattle. This situation is not related to rural areas but to urban areas. The problem that is faced by today's men is that they can't change their mindset toward people; he is not willing to give respect, safety or security to women due to their feudal mindset. Women in today's world are beaten mercilessly without assigning any reason, she was burnt alive due to not being able to provide a dowry to the family of her husband, if a woman fails to comply with the rotten patriarchal norms of society she can face severe consequences for that without any fault. However there are so many laws that shield women's rights, but the efficiency of India's judicial system is not hidden.
