



LEGAL AND SOCIAL DIMENSIONS OF CRIMES AGAINST WOMEN

Dr. Brijesh Arya

Assistant Professor, Department of Law, Arihant Law College, Haridwar, affiliated with Veer Madho Singh Bhandari Uttarakhand Technical University, Dehradun, India

Dr. Km. Anuradha

Assistant Professor, Department of Law, Shobhit University Gangoh, Saharanpur, Uttar Pradesh, India

ABSTRACT

Women hold an important and respected status in Indian society. In the Vedas, women were venerated as "Devi," or goddesses, and were exalted as mothers, creators, and life-givers. However, at the same time, women in India were completely oppressed and enslaved in a patriarchal culture, thus their exaltation was more legendary. Because society considered holding to traditional beliefs to be the best defence against home and public violence, Indian women have remained oppressed and enslaved throughout the country.

This research paper will cover the definition of crimes against women, their social repercussions, and the specific legal protections and assistance that the Indian government provides for women. This paper's goal is to shed attention on India's atrocities against women. Women in India are confined in several ways. Crimes are not limited to a certain nation, culture, class, or group. Women in India have suffered from these wicked customs for a very long time, not only in the current day. The frequency of crime against women isn't decreasing despite several legislation provisions and other government initiatives.

Among the crimes committed against women are In India, women are victims of crimes such as rape, dowry deaths, domestic abuse, abduction, molestation, torture, and sexual harassment. Crimes have had an emotional, psychological, and bodily impact on women, making it difficult for them to live normal lives. One of the main reasons for crimes against women in India is the patriarchal culture that predominates there. Crimes against women perpetuate other social ills by hurting families and entire communities over many generations. The main flaw with our nation's laws is that they are not even properly enacted. Therefore, in order to prevent crimes against women, all responsible people, including those who are concerned stakeholders, give careful consideration to taking preventative measures by raising awareness among women.

Key Words: Women, violence, rape, safety, crimes.

INTRODUCTION

One of the most widespread and terrible human rights abuses in the world today is violence against women. It cuts across socioeconomic classes, racial and cultural divides, and geographic barriers. Women continue to experience economic, sexual, psychological, and physical assault in war areas, private homes, and businesses. The shockingly high rates of violence persist despite advancements in women's rights, knowledge, and legislation, indicating systemic flaws, patriarchal attitudes, and ingrained gender inequity.

Definitions: Acts that cause women to suffer physically, sexually, psychologically, or economically, whether in private or public, are often referred to as crimes against women (also known as gender-based violence against women). This also applies to coercion, threats, and wilful deprivations of freedom.

Justification for the study: Women make up almost half of the world's population. Their physical and mental health, social and economic involvement, and development goals are all hampered by violence against them, which also violates their fundamental human rights. Furthermore, gender equality and the eradication of violence are specifically included in the Sustainable Development Goals (SDGs).

SCALE AND THE TRENDS

Violence against women is a global crisis of staggering proportions. It affects women of all ages, backgrounds, and nationalities, and manifests in multiple forms—from domestic abuse and sexual violence to human trafficking and harmful traditional practices. Despite international efforts to eliminate gender-based violence, the problem remains deeply rooted and alarmingly widespread. Understanding the scale and trends of this violence is crucial for developing effective solutions and driving global action.

Worldwide prevalence of sexual violence: According to a meta-analysis, around 29% (0.29, 95% CI: 0.25–0.34) of women worldwide have been the victim of sexual violence at some point in their lives. In underdeveloped nations, the prevalence is higher.¹ Around 140 women and girls are murdered by a spouse or family member every day in intimate relationship homicides worldwide. About 51,100 such fatalities occurred worldwide in 2023.² According to New unique data to India: Between 2010 and 2018, the crime rate per lakh women rose from about 18 to about 58.8. Types: rape, molestation, and kidnapping/abduction are the most common categories, followed by cruelty committed by a spouse or his family.³ In Geographical patterns: The incidence rates are lower in Goa, Uttarakhand, and Himachal Pradesh and significantly greater in Rajasthan, Maharashtra, and Uttar Pradesh.

Geographical patterns: The incidence rates are lower in Goa, Uttarakhand, and Himachal Pradesh and significantly greater in Rajasthan, Maharashtra, and Uttar Pradesh.

¹ Central BioMed

² <https://apnews.com/article/un-killing-women-girls-partners-family-global>

³ Taylor & Francis Online <https://www.tandfonline.com/doi/full/10.1080/17440572.2024.2371315>

<https://doi.org/10.1080/17440572.2024.2371315>

What constitutes violence against women?

The phrase "violence against women" encompasses a wide range of destructive actions committed against women and girls due to their sex. Among the definitions of violence against women that are most commonly used has been

The United Nations framed it. Any act of gender-based violence that causes or is likely to cause physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivations of liberty, whether occurring in public or private life, is defined as such in Article 1 of the Declaration on the Elimination of Violence Against Women.

The UN Declaration's Article 2 defines and enumerates several types of violence, including in the family and the community, physical, sexual, and psychological abuse of women should all be considered forms of violence against them, but they shouldn't be the only ones. Spousal abuse, sexual abuse of female children, violence connected to dowries, rape, especially marital rape, and traditional activities like female genital mutilation that are detrimental to women. Non-spousal violence, sexual harassment and intimidation at work and in schools, forced prostitution, women's trafficking, and state-perpetrated or sanctioned violence, including rape during the conflict, are also included. Violence Against Women in Various Forms

1) Physical Abuse

This covers physical injury such as striking, slapping, choking, burning, and other incidents. The most prevalent type of violence is domestic violence, which is frequently committed by intimate relationships. A woman's autonomy, sense of safety, and health are all negatively impacted by the threat or actual use of force.

2) Violence Against Women

Any non-consensual sexual act, such as forced prostitution, rape, or sexual assault, is considered sexual violence. It also includes sexual exploitation and marital rape, particularly in times of armed conflict when sexual violence is frequently employed as a weapon of war.

3) Abuse of the Mind and Emotion

Verbal abuse, threats, intimidation, seclusion, and domineering conduct are all examples of this type of violence. Emotional abuse can result in profound psychological trauma, sadness, and long-term mental health problems even if it might not leave physical scars.

4) Abuse of Money

Financial or economic abuse is when someone's access to money, education, work, or property is restricted. Perpetrators restrict women's autonomy and make it more difficult for them to escape abusive situations by controlling their financial resources.

5) Negative Customs and Tradition

Honor-based killings, child marriage, forced marriage, and female genital mutilation (FGM) are examples of violence against women that can be sustained by cultural norms and traditions. These behaviours, which are against fundamental human rights, are frequently excused in the name of culture or religion.

6) Digital and Online Violence

As technology has advanced, new kinds of violence have surfaced, such as online harassment, revenge porn, and cyberstalking, which involves posting personal photographs without consent. Victims of these crimes may suffer severe psychological and reputational repercussions.

CAUSES AND CONTRIBUTING FACTORS

Violence against women is a global human rights violation that transcends borders, cultures, and social classes. It affects millions of women and girls worldwide, often with devastating physical, emotional, and psychological consequences. While the forms of violence may vary—ranging from domestic abuse and sexual assault to human trafficking and harmful traditional practices—the root causes are deeply entrenched in social, cultural, economic, and institutional systems. Understanding the causes and contributing factors is crucial to effectively addressing and preventing this widespread issue. The Fundamental Causes are -

a) *Male Dominance and Patriarchy*

The uneven distribution of power between the sexes is the root cause of violence against women. Norms that prioritize males over women and legitimize male domination, including the use of violence to exert authority, are established by patriarchal social systems, in which men are the dominant authority. These systems frequently appear in: Women are expected by society to submit and obey, the idea that males are entitled to reprimand their spouses or partners and authority over women's reproductive choices, economics, and mobility

b) *Socialization of Gender*

Boys and girls are taught gender-specific behaviours from an early age. Boys are trained to be aggressive, domineering, and emotionally stoic, whereas girls are frequently educated to be submissive, caring, and docile. The idea that males are superior and have the right to dominate women—often by force or violence—is reinforced by these positions.

c) *Social and Cultural Customs and Traditions*

Cultural Arguments in Support of Violence against women is still accepted or justified in many communities under the pretexts of custom, honour, or family seclusion. Among the examples are: Honor-based violence: Women are killed or injured in certain cultures for behaviours that are seen as bringing disgrace to the family, such selecting a partner or dressed "immodestly."

d) *Normalization of domestic violence*

In many societies, domestic violence is viewed as a personal issue or as a legitimate kind of discipline. Negative Customary Behaviours, Violence can be directly caused by cultural practices: Millions of girls are impacted by the practice of female genital mutilation (FGM), which has its roots in the control of women's sexuality, Child marriage: Young girls who are married off are more susceptible to health issues, maltreatment, and sexual assault. Systems of dowries and bride prices commodify women and raise the likelihood of marital violence.

e) *Poverty and Economic Dependency*

Vulnerability and Financial Control, Women who rely on their boyfriends for financial support sometimes do not have the resources to leave violent situations. Abusers take advantage of the power inequalities caused by financial reliance to: Make decisions, Limit resource access, Make use of financial threats, such as eviction or child support withholding. Structural Violence and Poverty - Vulnerability to violence is increased in underprivileged populations due to restricted access to healthcare, work opportunities, and education. Because they fear losing their jobs or children, impoverished women may engage in survival sex or keep quiet.

f) *Fragmented Legal Structures*

Legal safeguards for women are either inadequate or inadequately implemented in many nations. Among the contributing legal flaws are: Marital rape is not criminalized, Laws that do not adequately handle sexual harassment or domestic violence, minimal punishments for offenders

UNDERSTANDING VIOLENCE AGAINST WOMEN

Violence against women is one of the most pervasive and deeply rooted human rights violations in the world today. It affects women of all ages, backgrounds, and cultures, cutting across economic, social, and geographical boundaries. Understanding violence against women is essential not only to support survivors but also to prevent future acts of abuse and build a more just and equal society. This violence is not just a personal issue—it is a social, cultural, and structural problem that demands collective attention.

What is Violence Against Women?

Violence against women refers to any act of gender-based violence that results in, or is likely to result in, physical, sexual, psychological, or economic harm or suffering to women. This includes domestic violence, sexual assault, human trafficking, harassment, and harmful traditional practices like forced marriage and female genital mutilation. The root of such violence lies in the unequal power relations between men and women, which often leads to discrimination, control, and abuse.

Violence against women (VAW) encompasses any act of gender-based violence that results in, or is likely to result in, physical, sexual, or mental harm or suffering to women. It includes threats, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life. This violence can take many forms:

1. **Domestic Violence:** The most common form, where women suffer abuse from intimate partners or family members.
2. **Sexual Violence:** Includes rape, sexual assault, harassment, and exploitation.
3. **Economic Violence:** Denial of financial resources or the right to work, often used as a tool of control.
4. **Emotional or Psychological Abuse:** Manipulation, humiliation, threats, or verbal abuse that harms a woman's mental well-being.
5. **Cultural and Structural Violence:** Harm caused by societal norms or institutions, such as female genital mutilation, honour killings, and forced marriages.

CAUSES AND CONTRIBUTING FACTORS

Violence against women is a serious global issue that affects millions of lives every day. It occurs in every society, regardless of culture, education, or economic status. From domestic abuse and sexual assault to trafficking and harmful traditional practices, the violence takes many forms and is rooted in deep social, economic, and political inequalities. To effectively address and prevent this violence, it is crucial to understand the causes and contributing factors that allow it to continue.

Violence against women is deeply rooted in the historical and structural inequality between men and women. Some major contributing factors include:

1. *Patriarchy and Gender Inequality*: Societies that uphold male dominance often justify or ignore the abuse of women. Traditional gender roles often reinforce the notion that men have control over women's bodies and choices.
2. *Lack of Education and Awareness*: In many societies, especially in underdeveloped and rural areas, a lack of education perpetuates ignorance about women's rights and equality.
3. *Economic Dependence*: Financial dependency on male partners prevents many women from leaving abusive relationships or seeking help.
4. *Cultural and Religious Norms*: In some cultures, violence against women is normalized or even encouraged under the guise of tradition, honour, or religious doctrine.
5. *Weak Legal Systems*: In many countries, laws either do not adequately protect women or are poorly implemented. Women often fear reporting abuse due to stigma, victim-blaming, or lack of trust in authorities.
6. *Conflict and Displacement*: In war-torn regions, sexual violence is used as a weapon of war. Refugee women are especially vulnerable to exploitation and abuse.

IMPACT ON WOMEN AND SOCIETY

Violence against women is one of the most widespread violations of human rights across the world. It includes physical, sexual, emotional, and economic abuse that affects women regardless of age, race, class, or religion. While the direct victims of this violence are women and girls, the ripple effects are felt throughout families, communities, and entire nations. Understanding the impact of violence against women is crucial to recognizing it not just as a personal issue, but as a serious social, economic, and public health concern.

The consequences of violence against women are profound and long-lasting:

- **Physical and Mental Health**: Victims suffer injuries, chronic health problems, depression, anxiety, PTSD, and even death.
- **Economic Impact**: Abused women often lose productivity, income, or jobs, which contributes to economic inequality.
- **Social Costs**: Violence leads to social instability, broken families, and intergenerational trauma.
- **Loss of Human Potential**: When women live in fear or suffer in silence, they are unable to fully participate in society, leading to a loss of potential contributions to communities and nations.

Global Statistics and Trends

Violence against women is a global epidemic that affects one in every three women during their lifetime. It transcends borders, cultures, economic status, and education levels, and remains one of the most persistent and devastating violations of human rights in the world today. Despite growing awareness and legislative efforts, the prevalence of gender-based violence continues to be alarmingly high, with significant consequences for individuals, families, and societies. This essay explores current global statistics and trends related to violence against women, drawing attention to the scale of the problem and the urgent need for effective, long-term solutions.

According to UN Women and the World Health Organization:

- a) 1 in 3 women worldwide has experienced physical or sexual violence in her lifetime.
- b) Less than 40% of women who experience violence seek help of any sort.
- c) In many countries, intimate partner violence is the most common form of abuse against women.
- d) During the COVID-19 pandemic, cases of domestic violence surged globally, highlighting the crisis as a “shadow pandemic.”

EFFORTS TO COMBAT VIOLENCE

Violence against women remains one of the most widespread and persistent human rights violations in the world. It affects millions of women across all ages, nationalities, and socio-economic backgrounds. While the problem is deeply rooted in gender inequality and cultural norms, efforts to combat this violence have grown significantly over recent decades. Governments, international organizations, non-governmental groups, and grassroots activists are all working together to end violence against women through legal reform, education, support services, and community awareness. This essay explores the major efforts being made globally and locally to address and prevent violence against women. Efforts to combat violence against women must be multi-dimensional:

1. Legal Reforms

Countries need to enact and enforce strict laws that criminalize all forms of violence against women. Victim protection and access to justice must be prioritized.

2. Education and Awareness

Comprehensive education programs that promote gender equality, respect, and healthy relationships can shift societal attitudes.

3. Empowerment of Women

Economic and political empowerment enables women to gain independence and challenge oppressive systems. Skills training, access to credit, and leadership programs are essential.

4. Support Services

Shelters, hotlines, legal aid, and counselling services should be accessible and adequately funded. Victims need safe spaces and professional support to heal and rebuild their lives.

5. Men and Boys as Allies

Men must be part of the solution. Programs that teach boys about equality, consent, and nonviolence are crucial to changing cultural narratives.

6. International Cooperation

Organizations like the United Nations, WHO, and NGOs play a critical role in promoting policies, funding programs, and monitoring violence globally.

CHALLENGES

Violence against women remains one of the most urgent human rights challenges worldwide. Despite significant progress in awareness, legal reforms, and support services, numerous obstacles continue to hinder the effective prevention and elimination of gender-based violence. These challenges are complex, deeply rooted in societal structures, and often interlinked, making the fight against violence multifaceted and difficult. This essay explores the major challenges that lie ahead in combating violence against women, from legal and cultural barriers to resource constraints and emerging issues.

Despite growing awareness, several challenges remain:

- I. Cultural resistance and denial of the problem.
- II. Victim-blaming attitudes and stigma.
- III. Lack of funding for women's shelters and programs.
- IV. Inadequate data collection and reporting systems.
- V. Online abuse and cyberviolence, which are emerging threats.

CONCLUSION

In conclusion, the journey toward eradicating violence against women is fraught with complex and deeply entrenched challenges that require sustained commitment and multifaceted approaches. Despite significant progress in raising awareness and enacting laws, the persistence of harmful cultural norms and societal attitudes continues to perpetuate violence and silence survivors. The widespread underreporting of abuse highlights a pervasive lack of trust in institutions and fear of retaliation, underscoring the urgent need for reforms that prioritize survivor safety and dignity. Moreover, weak enforcement of existing laws and insufficient resources for support services create substantial barriers for women seeking justice and recovery. These systemic shortcomings are further complicated by the diverse and intersectional realities faced by marginalized groups, whose experiences of violence are often compounded by discrimination and lack of tailored interventions. Emerging challenges such as digital abuse and the exacerbation of violence during global crises demand innovative responses and the adaptation of legal and social frameworks to protect women in evolving contexts.

Ultimately, overcoming these obstacles necessitates a holistic and inclusive strategy that integrates legal reform, education, community mobilization, adequate funding, and international cooperation. It calls for the active engagement of all sectors of society including governments, civil society, the private sector, and individuals in shifting societal norms and creating environments where gender equality is the foundation of safety and respect. Only through persistent, coordinated, and comprehensive efforts can we hope to dismantle the structures that enable violence against women and build a world where every woman and girl can live free from fear, violence, and discrimination.